

OFFICIAL INFORMATIONCONFIDENTIAL**EVIDENCE CODE SECTION 1040
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: March 9, 2021

TO: Honorable Board of Police Commissioners

FROM: Inspector General

SUBJECT: CAROTID RESTRAINT CONTROL HOLD 013-20 FOR 3/16/21 CLOSED-SESSION AGENDA

<u>Division</u>	<u>Date</u>	<u>Time</u>	<u>Duty-On (X) Off ()</u>	<u>Uniform-Yes (X) No ()</u>
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Central	4/17/20	11:40 p.m.		
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<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
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Monteagudo, E./PO II	3 years, 10 months
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Total Involved Officer(s)

2 x Sgt. I
2 x PO III
8 x PO II

<u>Suspect(s)</u>	<u>Deceased ()</u>	<u>Wounded ()</u>	<u>Non-Hit ()</u>
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Weslie Eugene Prince Jr.: Black Male, 39 years of age.

COP Recommendations

Tactics – Administrative Disapproval, Officer Monteagudo. Tactical Debrief, Sergeants Contreras and Ahlemeir and Officers Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar.

Drawing/Exhibiting – In Policy, No Further Action, Officers Valvaneda and Tarango.

Non-Lethal Use of Force – In Policy, No Further Action, Sergeants Contreras and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar.

Lethal Use of Force – In Policy, No Further Action, Officer Monteagudo.

IG Recommendations

Tactics – Same as COP.

Drawing/Exhibiting – Same as COP.

Non-Lethal Use of Force – Same as COP, Sergeants Contreras and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Morales, and Aguilar, and Officer Garcia (firm grip, body weight, physical force). *Out of Policy, Officer Garcia, impact with knee.*

Lethal Use of Force – Same as COP.

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INVESTIGATION

Annotated Force Investigation Division (FID) Incident Summary¹

Synopsis

Uniformed patrol officers assigned to Central Area, Resource and Enhancement Services Enforcement Team (RESET), attempted to detain a suspect wanted for Assault with a Deadly Weapon (ADW). The suspect fled on foot and a foot pursuit ensued. The suspect attempted to arm himself with a handgun, at which time an officer applied a Carotid Restraint Control Hold (CRCH).

Investigative Summary

On April 17, 2020, Central Area RESET uniformed Police Officer III Gerardo Valvaneda, Serial No. 41754, driver, Police Officer II Edward Monteagudo, Serial No. 42592, front passenger, and Police Officer II Stephanie Tarango, Serial No. 41751, left rear passenger assigned Unit 1FB21 Watch 5, were conducting crime suppression in the area of 5th Street and Wall Street. The officers were driving a marked black and white, hybrid, Crown Victoria police vehicle, Shop No. 88893, equipped with a Digital in Car Video System (DICVS).²

Note: According to Officer Monteagudo, RESET's mission is to apprehend individuals wanted for outstanding warrants and work within the Skid Row community enforcing Los Angeles Municipal Code (LAMC) violations and narcotic violations.

The investigation determined that the officers DICVS was not activated, during this incident.

¹ The Incident Summary presented here is reproduced from FID's report regarding this case, and is supplemented with annotations by the OIG. All OIG annotations are referenced as an "OIG Note." All other references and citations in the reproduced FID Incident Summary (e.g., Investigators' Notes or Addenda Items) are reproduced directly from FID's report. Unless otherwise stated, all information provided in OIG annotations is derived from FID's investigation of this incident.

² Officer Valvaneda, 30 years of age, 5 feet 7 inches, 160 pounds, 5 years and 8 months with the Department, was equipped with Oleoresin Capsicum (OC) spray, Body Worn Video (BWV), one pair of handcuffs, a Hobble Restraint Device (HRD), a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest;

Officer Monteagudo, 25 years of age, 5 feet 8 inches, 190 pounds, 3 years and 10 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest;

Officer Tarango, 28 years of age, 5 feet 8 inches, 160 pounds, 5 years and 8 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest.

According to Officer Valvaneda, it was the first time that all three officers worked together; however, they had all worked as partners on previous occasions. Officer Valvaneda noted that working in a three-officer configuration was a common occurrence in the RESET unit and added that while working in the RESET unit, roll call training was given on foot pursuit tactics. The officers each agreed they would have the following roles:

- Officer Valvaneda – Contact
- Officer Monteagudo – Cover
- Officer Tarango – Communications and additional cover officer

At approximately 2335 hours, Officers Valvaneda, Monteagudo, and Tarango were traveling in their police vehicle, west on 5th Street approaching Wall Street. As they neared the intersection, Officer Monteagudo observed an individual standing near the northeast corner who resembled a named suspect from a recent Los Angeles Police Department Crime Alert Bulletin who was wanted for ADW.³ Officer Monteagudo was aware that the suspect in the ADW used bodily force and kicked the victim multiple times while he was on the ground, causing the victim to go unconscious. There was no weapon used in the crime (Addendum No. 1).⁴

Note: Officers Valvaneda and Tarango also indicated they had previous knowledge of the crime alert flyer.

As the officers drove past Prince, Officer Monteagudo told his partners, “*Hey, I think that’s the guy we’re looking for.*”⁵ Officer Monteagudo used his Mobile Digital Computer (MDC) to access Central Area’s online homepage, which had a link to photographs of suspects who were wanted for crimes committed in Central Division and brought up a photograph of Prince. Officer Valvaneda put the police vehicle in reverse and slowly drove backward, east, in the westbound lane of traffic towards Prince. According to Officer Valvaneda he made sure that there were no vehicles or pedestrians behind him as he backed the vehicle.

OIG Note No. 1: 5th Street is a one-way street with three westbound lanes of traffic. Officer Valvaneda drove the police vehicle west past Prince in the number 2 lane, and then he reversed back a short distance before attempting to angle the front of the vehicle towards Prince.⁶

³ The individual observed by Officer Monteagudo was ultimately identified as Weslie Eugene Prince Jr, male, Black, 5 feet 10 inches tall, 205 pounds with a date of birth of December 28, 1980.

⁴ The Crime Alert was prepared by Central Area on April 9, 2020, and listed Prince as one of two outstanding suspects wanted for ADW. It contained a booking photograph of Prince, as well as his physical description. The Crime Alert also indicated that if Prince was located, he should be booked on Division of Records (DR) No. 2001-09906.

⁵ Officer Monteagudo’s statement, Page 9, Lines 6 – 7.

⁶ 303 East 5th Street surveillance video, 1135:48pm - 1136:30pm.



Screenshot from Officer Monteagudo's BMW depicting the officer's MDC.

As they reversed past Prince and stopped in the street, surveillance video captured Prince face east while holding a cellular phone to his ear. The officers all agreed that Prince matched the photograph of the wanted suspect on their MDC. According to Officers Monteagudo and Tarango, their intent was to detain Prince for ADW. Officer Valvaneda put the vehicle into drive and angled the vehicle northwest towards the sidewalk. According to Officer Valvaneda he attempted to align the front end of the police vehicle with Prince's position; however, Prince began walking east, so he was unable to do so. According to Officer Valvaneda, it appeared that Prince was going to run from them because he was looking back in their direction as he walked, so Officer Valvaneda warned his partners that Prince was going to run.

Note: According to Officer Tarango, as they reversed toward Prince, Prince changed his body positioning to face east, pulled out a cellular phone, and began to have a conversation.

According to Officer Valvaneda, as he reversed the vehicle, he noted that Prince began to slowly walk away to the east; however, surveillance video captured Prince begin to walk east after Valvaneda began to angle his vehicle toward the sidewalk.

At approximately 2336:14 hours, Officer Monteagudo broadcast, *"FB21, Code-Six on a Code-Six Charles suspect, 5th and Wall."* As captured on BWV, Prince continued to walk east, as Officer Monteagudo opened his vehicle door and told Prince, *"Let me talk to you real quick."*

Note: According to Officer Monteagudo, he requested a back-up when broadcasting his Code-Six location; however, this was not captured on Central Area frequency or BWV.

According to Officer Monteagudo, he told Prince to stop after exiting the vehicle; however, this was not captured on BWV.

As Officer Monteagudo exited the vehicle, Prince ran east on the north sidewalk of 5th Street and Officer Monteagudo gave chase on foot. As Prince passed San Julian Street, he came off the sidewalk and continued to run east on the street in the traffic

lanes. According to Officer Monteagudo, he ran offset of Prince, closer to the sidewalk as Prince ran in the middle of the street. Officer Monteagudo noted that Prince had baggy clothes and that he grabbed onto his pants to keep them from falling. According to Officer Monteagudo, due to the fact Prince was wanted for an ADW involving bodily force and there was no weapon involved, Officer Monteagudo's goal of the foot pursuit was to apprehend Prince.

Officer Valvaneda placed the car in park, removed the keys from the ignition, and he and Officer Tarango also gave chase on foot, with Officer Valvaneda in front of Officer Tarango.

OIG Note No. 2: *When Officer Valvaneda was asked by FID investigators whether he considered following the foot pursuit in the police vehicle, he replied, "So I think, you know, in that particular situation, going, you know, against the direction of travel and oncoming vehicles, possibly, being that it's a one-way street, that just wasn't -- to me at the time it didn't seem like the right thing to do. I felt it was better to stay with my partner as much as I could."*⁷

Note: Although the investigation ultimately determined Prince was armed with a handgun, Officers Valvaneda and Tarango were both unaware of this during the foot pursuit. Therefore, both officers indicated their intention was to apprehend Prince.



Surveillance video from 303 East 5th Street
[...]

At approximately 2336:24 hours, Officer Valvaneda broadcast, "...on San Pedro, ADW suspect, going to be a male, Black, wearing a gray sweater, black pants."

Note: According to Officer Valvaneda, his broadcast also contained his unit designation and that they were in foot pursuit; however, a review of Central Area's frequency determined that a portion of his broadcast was unintelligible and did not capture that additional information. The broadcast was also not captured on BWV.

⁷ Officer Valvaneda's first statement, Page 64, Line 24 to Page 65, Line 4.

As the officers ran, Officer Tarango yelled to Officer Valvaneda that she would take over broadcasting. Officer Tarango then immediately broadcast, *"1FB21, we're still eastbound 5th Street, approaching San Pedro."*

Note: The investigation determined that Officers Valvaneda and Tarango initially broadcast the foot pursuit at the same time.

In response to the officers' foot pursuit broadcast, the following uniformed Central Area personnel responded:

- Sergeant I Luis Contreras, Serial No. 25402, assigned Unit 1L120 Watch 5.⁸
- Police Officer II Michael Ramirez, Serial No. 39614, driver, and Police Officer II Reyna Pinedo, Serial No. 42347, passenger, assigned Unit 1X11 Watch 3.⁹
- Police Officer II Kyle Bender, Serial No. 43595, driver, and Police Officer II Jocelyn Hyshaw, Serial No. 43606, passenger, assigned Unit 1A29 Watch 3.¹⁰
- Police Officer II Michael Castellanos, Serial No. 42831, driver, and Police Officer II Sergio Flores, Serial No. 41638, passenger, assigned Unit 1FB24 Watch 5.
- Police Officer III Martin Garcia, Serial No. 39924, driver, and Police Officer I Joseph Bitonti, Serial No. 43999, passenger, assigned Unit 1A85 Watch 3.¹¹
- Police Officer II Federico Vasquez, Serial No. 41949, driver, and Police Officer II Mario Sosa, Serial No. 41979, passenger, assigned Unit 1A35 Watch 3.¹²

⁸ Sergeant Contreras, 57 years of age, 6 feet 2 inches, 190 pounds, 32 years and 10 months with the Department, was equipped with OC spray, BWV, one pair of handcuffs, a 9-millimeter, Beretta, 92FS, semi-automatic pistol, an X26P TASER, and a ballistic vest.

⁹ Officer Ramirez, 36 years of age, 6 feet 3 inches, 215 pounds, 11 years and 4 months with the Department, was equipped with OC spray, BWV, one pair of handcuffs, a .40 caliber, Glock, model 22, semi-automatic pistol, an X26P TASER, and a ballistic vest;

Officer Pinedo, 25 years of age, 5 feet 5 inches, 130 pounds, 4 years and 5 months with the Department, was equipped with OC spray, BWV, one pair of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest.

¹⁰ Officer Bender, 25 years of age, 5 feet 10 inches, 190 pounds, 1 year and 10 months with the Department, was equipped with a side-handle baton, OC spray, BWV, two pairs of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest;

Officer Hyshaw, 24 years of age, 5 feet 10 inches, 190 pounds, 1 year and 10 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest.

¹¹ Officer Garcia, 38 years of age, 6 feet 1 inch, 180 pounds, 11 years and 2 months with the Department, was equipped with OC spray, BWV, one pair of handcuffs, a .40 caliber, Glock, model 22, semi-automatic pistol, an X26P TASER, and a ballistic vest.

¹² Officer Sosa, 35 years of age, 5 feet 7 inches, 175 pounds, 5 years and 2 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a HRD, a .45 caliber, Smith & Wesson, M&P45, semi-automatic pistol, an X26P TASER, and a ballistic vest.

- Police Officer II Derek DeBuck, Serial No. 43445, driver, and Police Officer II Erick Morales, Serial No. 43461, passenger, assigned Unit 1X38 Watch 5.¹³
- Police Officer II Kenneth Curtis, Serial No. 40858, driver, and Police Officer II Esteban Aguilar, Serial No. 42482, passenger, assigned Unit 1FB22 Watch 5.¹⁴
- Sergeant I Kevin Ahlemeir, Serial No. 41887, assigned Unit 1FB70 Watch 5.¹⁵
- Lieutenant I James Mylonakis, Serial No. 33784, assigned Unit 1L10 Watch 3.¹⁶
- Police Officer II Christopher Tran, Serial No. 41542, driver, and Police Officer II Nicholas Brady, Serial No. 41576, passenger, assigned Unit 1FB23 Watch 5 (Investigators' Note No.1).¹⁷

When Prince reached San Pedro Street, he ran south, in the middle of the street with Officer Monteagudo trailing behind. As they neared 521 South San Pedro Street, BWV captured Officer Monteagudo shout, "*Stop right there!*" According to Officer Monteagudo, Prince looked back at him and tripped, falling forward onto the ground. While still trailing behind Prince, Officer Monteagudo's BWV captured Prince fall on his right side and roll, coming to rest in a seated position, facing in a southwesterly direction.

Note: According to Officer Monteagudo, he believed Officer Valvaneda was right behind him during the foot pursuit. According to Officer Valvaneda, he was approximately 20 to 30 yards from Officer Monteagudo when he turned south on San Pedro Street.

The investigation determined the foot pursuit covered approximately 730 feet and lasted approximately 37 seconds.

¹³ Officer Morales, 27 years of age, 5 feet 10 inches, 180 pounds, 2 years and 2 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, an X26P TASER, and a ballistic vest.

¹⁴ Officer Aguilar, 31 years of age, 5 feet 5 inches, 155 pounds, 4 years with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a HRD, a 9-millimeter, Smith & Wesson, M&P9, semi-automatic pistol, and a ballistic vest.

¹⁵ Sergeant Ahlemeir, 50 years of age, 6 feet, 210 pounds, 5 years and 3 months with the Department, was equipped with a side-handle baton, OC spray, BWV, one pair of handcuffs, a 9-millimeter Berretta model 92FS semi-automatic pistol, and a ballistic vest.

¹⁶ Lieutenant Mylonakis, 45 years of age, 5 feet 10 inches, 180 pounds, 23 years and 1 month with the Department, was equipped with a side-handle baton, OC spray, one pair of handcuffs, a HRD, a .40 caliber, Glock, model 22, semi-automatic pistol, and a ballistic vest.

¹⁷ Officer Tran, 28 years of age, 5 feet 5 inches, 165 pounds, 6 years and 3 months with the Department, was equipped with OC spray, BWV, two pairs of handcuffs, a 9-millimeter, Glock, model 17, semi-automatic pistol, an X26P TASER, and a ballistic vest;

Officer Brady, 35 years of age, 5 feet 11 inches, 170 pounds, 6 years and 1 month with the Department, was equipped with an ASP collapsible baton, OC spray, BWV, two pairs of handcuffs, a 9-millimeter, Glock, model 17, semi-automatic pistol, an X26P TASER, and a ballistic vest.

As Officer Monteagudo caught up to Prince, his back was toward Officer Monteagudo. According to Officer Monteagudo he intended to go into a “*full body mount*” onto Prince, which he described as, “...*when you get on top of the suspect, and you try and get your legs under his legs or wrapped around him and then apply hip pressure and keep that body weight -- keeping the suspect's hands on the ground.*”¹⁸ To get into a full mount, Officer Monteagudo intended to roll Prince’s left shoulder toward the ground, while putting his left leg underneath Prince’s left leg and then hook his foot under Prince’s ankle. This movement would allow Officer Monteagudo to stretch Prince’s leg out, causing Prince to lay flat on his stomach, and control Prince from behind.

As he approached Prince, surveillance video captured Officer Monteagudo grab Prince’s left shoulder with his left hand and Prince’s upper right arm with his right hand. Officer Monteagudo lowered his upper body onto Prince’s back and he came down to his right knee behind Prince.

As he did so, Officer Monteagudo observed Prince reach into what he believed to be the left front pocket of a pair of shorts that Prince wore under his outer pants. Officer Monteagudo observed Prince’s left hand gripping the butt of the handgun and observed the barrel of the handgun through the fabric of the pants. As Prince attempted to remove the handgun, it appeared to Officer Monteagudo that the handgun caught in the fabric, which prevented Prince from removing it.

Note: The investigation ultimately determined that the handgun was inside a fabric pocket sewn on the inside of Prince’s pants. Prince was not wearing shorts underneath his pants.

With Officer Monteagudo still on Prince’s back, surveillance video captured Prince plant his right hand on the ground and push his way up on to his knees. Officer Monteagudo maintained his upper body position against Prince’s back and spread his legs out to either side of Prince’s legs. Prince’s body appeared to move forward slightly, and Officer Monteagudo momentarily placed his left hand on the ground as his feet were lifted off the ground.

At approximately 2337:11 hours, BWV captured Officer Monteagudo yell, “*He’s got a gun! He’s got a gun!*” as Officers Valvaneda and Tarango neared.

[...]

Note: Officer Monteagudo’s BWV camera was knocked to the ground moments after he came into contact with Prince. Therefore, it did not capture the categorical use of force.

Officer Monteagudo attempted to control Prince, as they both fell onto their right sides. According to Officer Monteagudo, to prevent Prince from removing the handgun, he

¹⁸ Officer Monteagudo’s statement, Page 34, Lines 16 – 20.

used his left leg to trap Prince's left arm to his body while his chest remained in alignment with Prince's back.

Officers Valvaneda and Tarango both heard Monteagudo's warning that Prince was armed with a gun. According to Officer Valvaneda, he believed he may have to shoot to save his or his partners' lives so he unholstered his pistol. According to Officer Tarango, she believed Officer Monteagudo was in danger, so she unholstered her pistol.

Note: Officer Tarango's BWV captured her holding her taser in her left hand and, moments later, captured her holding her pistol in her right hand, while running toward Officer Monteagudo. According to Officer Tarango, she held her pistol in a one-handed grip because she was trying to holster her radio.

As Officers Valvaneda and Tarango caught up with Officer Monteagudo and Prince, BWV captured Officer Tarango order Prince to, "*Drop that shit.*"¹⁹ Officer Valvaneda could also be heard ordering Prince to, "*Drop the gun.*"

Officer Tarango realized Officer Valvaneda had unholstered his pistol and she holstered hers.

Note: According to Officer Tarango, she drew her taser after holstering her pistol.

OIG Note No. 3: *Surveillance video footage obtained from 526 South San Pedro Street indicated that it took approximately 14 seconds for Officers Valvaneda and Tarango to catch up to Officer Monteagudo once he had made physical contact with Prince.*²⁰

Officer Monteagudo believed, "...he's -- obviously, knows who we are and he's trying to take the gun out, this guy -- he's -- he's trying to kill me."²¹ Officer Monteagudo identified that he was in a deadly force situation and quickly considered his options of either shooting Prince or performing a carotid restraint control hold on him. In an effort to preserve life, Officer Monteagudo elected to place a carotid restraint control hold on Prince.

Officer Monteagudo encircled Prince's neck with his right arm by placing his right bicep on Prince's right carotid, his right forearm on Prince's left carotid and aligning his elbow with Prince's chin. Officer Monteagudo then grasped his left bicep with his right hand and placed his left hand on the back of Prince's head. Officer Monteagudo took a deep

¹⁹ Gleaned from Officer Tarango's BWV at approximately 2337:16 hours.

²⁰ 526 South San Pedro Street surveillance video.

²¹ Officer Monteagudo's statement, Page 14, Lines 10 – 12.

breath to expand his chest to apply more pressure onto Prince's back while he pushed Prince's head forward with his left hand. Officer Monteagudo then moved his right and left elbows toward each other to apply pressure to Prince's carotid arteries. Officer Monteagudo's intent was to render Prince unconscious so that Prince would release his grip on the gun and to take him into custody.

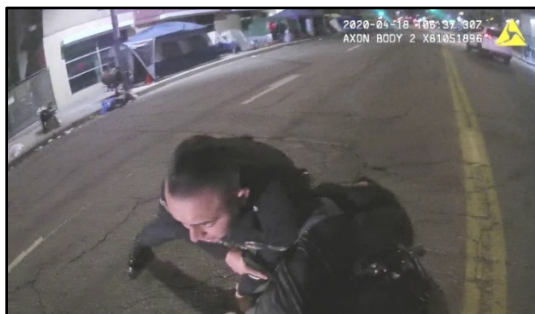
Note: According to Officer Monteagudo he applied a full carotid; however, the investigation determined that he applied a locked carotid (Investigators' Note No. 2).

Officer Valvaneda took a kneeling position, to the right of Prince. According to Officer Valvaneda, since he was in such close proximity to his partners, he placed the muzzle of his pistol against Prince's torso in order to avoid shooting one of them in the event he had to discharge his firearm. He also attempted to point his pistol downward to avoid a crossfire with his partners. Officer Tarango's BWV captured Officer Valvaneda using his left hand to grab Prince's left wrist to control his left arm, which was across the front of Prince's body. As Officer Tarango stood on the street, just north of Prince, she warned Prince that she would tase him.

Officers Valvaneda and Tarango could not see the handgun and BWV captured them asking Officer Monteagudo where the handgun was. Officer Monteagudo told them the handgun was in Prince's hand. Officers Monteagudo and Valvaneda ordered Prince to drop the handgun. According to Officer Valvaneda, he believed the handgun might have been pinned under Prince's body.

At approximately 2337:26 hours, Officer Tarango broadcast "*1FB21, it's going to be 415 man with a gun!*"

The following still photograph was captured from Officer Tarango's BWV and is intended to depict Officer Monteagudo's body and arm positioning only. Although the photograph contains a timestamp, it is not intended to depict the time or duration the carotid was applied.



Officer Tarango knelt near Prince's left side, grabbed the fabric of Prince's sweatshirt with her right hand and pulled it up, exposing his waistband area. While holding the taser in her left hand, Officer Tarango pressed the taser against the exposed skin of Prince's abdomen and stated, "*Let the gun go or I'm gonna' tase you.*" According to

Officer Tarango, she didn't activate her taser because she was concerned the taser activation would affect the other officers as well.

Note: Officer Tarango believed she held the taser in her right hand.



Surveillance Video from
526 South San Pedro Street

Officer Valvaneda's BWV

Officer Tarango's BWV

[...]

At approximately 2337:40 hours, Sergeant Contreras arrived on scene. As Sergeant Contreras approached the officers, Officer Tarango's BWV captured her state that Prince had a gun in his hand and Officer Valvaneda directed Sergeant Contreras to grab Prince's arms.

Note: According to Sergeant Contreras, when he arrived at scene, Prince was on his stomach with his left arm underneath his body. However, BWV depicted Prince lying on his right side, with his left arm across the front of this torso.

Sergeant Contreras knelt near Prince's right leg and briefly grabbed Prince's left wrist with his right hand. Sergeant Contreras transitioned the grip of Prince's left wrist to his left hand, and used his right hand to grab Prince's right hand, which was alongside Prince's body. Sergeant Contreras then asked where the gun was.

According to Sergeant Contreras, he did not immediately assume command and control, because he was the first back up unit to arrive at scene, the handgun was not secured, and Prince had not been handcuffed.

Officer Valvaneda's BWV captured him advising to put Prince's hands behind his back. Officers Valvaneda maintained his grip on Prince's left wrist as Officer Tarango grabbed Prince's left arm, pulling it toward her.

Note: At approximately 2337:51 hours, Officer Tarango's BWV captured him reposition the muzzle of his pistol on Prince's torso. In doing so, the muzzle of Officer Valvaneda's pistol appeared to briefly cover his left arm and Officer Tarango.

As he maintained his position on the ground behind Prince, Officer Monteagudo asked, "Is he out?" Officer Valvaneda replied, "Yeah, let him go," and briefly released his grip

on Prince's arm to tap Officer Monteagudo on his left arm. Officer Valvaneda's BWV captured Officer Monteagudo remove his left arm from behind Prince's neck and reposition it across Prince's upper torso. He then rotated his hips out from behind Prince and repositioned his upper torso over Prince's upper body.

Note: Force Investigation Division (FID) investigators were unable to determine the exact time and duration the carotid was applied. According to Officer Monteagudo, he believed he applied the carotid for approximately 10 to 15 seconds. Officer Monteagudo was unsure if Prince was ever unconscious; however, he released the pressure on Prince's neck when he felt him go limp. Officer Monteagudo maintained his arm and body position after the application of the carotid in the event he needed to reapply it; however, he did not do so.

The following still photograph was captured from Officer Valvaneda's BWV and is intended to depict Officer Monteagudo's body and arm positioning only. Although the photograph contains a timestamp, it is not intended to depict the time or duration the carotid was applied.



Officer Valvaneda gripped Prince's left arm and Sergeant Contreras released his grip. Sergeant Contreras advised the officers that he had control of Prince's other hand and directed Officer Tarango to grab Prince's left arm. Officer Tarango still had her taser in her left hand, so she placed the taser on the ground between her left leg and Prince's left leg.

Note: According to Officer Tarango, she attempted to holster her taser; however, the holster was a little further back on her belt for her to reach and she did not want to direct her attention from Prince to the holster. She believed the taser was a safe distance away from Prince but was still accessible if she needed it.

According to Officer Monteagudo, he believed Prince's handgun was in custody prior to releasing his arms from Prince; however, the handgun had not been secured.

Officer Tarango then gripped Prince's left wrist and applied a wrist lock, as Officer Valvaneda gripped Prince's left forearm with his left hand. Sergeant Contreras pinned Prince's right wrist to the ground with his left hand. He also placed his left knee on Prince's right thigh and applied bodyweight. According to Sergeant Contreras, he wanted to control Prince's arms out from his body until the handgun was located, because handcuffing Prince could have placed his hands closer to the handgun.

While Officer Tarango held Prince's left wrist, she placed her left foot on the ground between Prince's legs and used her bent left leg to stabilize herself. According to Officer Tarango, Prince moved, which caused his right leg to press on top of her left foot, and she felt a hard object, which she believed to be Prince's handgun. Officer Tarango notified the others of her discovery. Officer Tarango used her left hand to reach down and grab the handgun through Prince's pants. Sergeant Contreras acknowledged the location of the gun and directed Officer Tarango to control Prince's hand, so he could retrieve the handgun. Sergeant Contreras gripped Prince's right lower leg with his right hand. While maintaining a wrist lock on Prince's left wrist, Officer Tarango leaned over Prince and gripped his right hand with her right hand.

Note: According to Sergeant Contreras, *"As soon as he (Prince) felt that we had located the weapon then he got more aggressive and started like kicking and trying to move around and flailing and trying to like pull."*²² A review of video evidence did not capture Prince's legs moving when Sergeant Contreras located the firearm.

At approximately 2338:23 hours, Officers Ramirez, Pinedo, Hyshaw and Bender arrived at scene followed shortly thereafter by Officers Brady and Tran. According to Officers Hyshaw, Bender, Tran and Brady, there were already enough officers at scene dealing with Prince, and they began to focus on controlling the crowd that had gathered.

Note: According to Officer Pinedo, when she arrived at scene, Prince was on his stomach.

Officer Pinedo approached the group of officers that were controlling Prince. Sergeant Contreras directed Officer Pinedo to grab Prince's leg and Officer Pinedo gripped Prince's right ankle with her right hand, and his right calf with her left hand. Sergeant Contreras then relinquished his grip of Prince's right leg.

Note: According to Officer Pinedo she placed her left hand on Prince's left ankle. Officer Pinedo added that she did not apply any force because Prince was not kicking.

While still kneeling on Prince's left side, Officer Valvaneda holstered his pistol. Sergeant Contreras reached down inside the front of Prince's pants and pulled out a fabric pocket which was sewn on the inside of Prince's pants. According to Sergeant Contreras, he could feel the handgun inside the pocket, but was concerned about

²² Sergeant Contreras' statement, Page 27, Lines 7-10.

touching the gun in case the hammer was cocked, so he stretched the pocket out and directed Officer Pinedo to cut it away from Prince's pants. Officer Pinedo let go of Prince's leg and cut the pocket from the pants with her pocket knife. As Sergeant Contreras began to stand with the handgun in his left hand, he used his right hand to pick up Officer Tarango's taser from the ground. Sergeant Contreras then placed Officer Tarango's taser on the hood of his vehicle.



Officer Pinedo's BWV
[...]

Note: DICVS captured Sergeant Contreras giving Officer Tarango her taser back after Prince was handcuffed and placed into a seated position.

According to Officer Tarango, she believed that she got her taser back before Prince was handcuffed.

According to Officer Valvaneda, he holstered his pistol when Sergeant Contreras arrived, and officers had control of Prince's hands.

Sergeant Contreras took the handgun, which was still wrapped in the fabric pocket, and gave it to Officer Hyshaw, directing her to secure it. Officer Hyshaw took the fabric containing the gun and placed it into the trunk of Sergeant Contreras' police vehicle.

Officers Castellanos, Flores, Garcia and Bitonti were the next group of officers to arrive at scene. Officers Castellanos, Flores and Bitonti assisted with crowd control while Officer Garcia went to assist the officers with Prince.

Officer Ramirez directed the group of officers to roll Prince onto his stomach for handcuffing. Officer Pinedo put her knife away and reacquired a grip on each of Prince's legs. According to Officer Monteagudo, he wanted to limit Prince's body movement, so he pushed on Prince's back with his left hand and Prince's head with his right hand. Officer Valvaneda gripped the back of Prince's left arm with his left hand and Prince's left forearm with his right hand. Officer Tarango gripped Prince's left wrist with her left hand and pushed on Prince's back with her right hand. Officer Ramirez initially gripped Prince's right leg with his left hand and picked it up but released Prince's leg to assist Officer Tarango with untangling her left leg from Prince. Officer Ramirez then transitioned to gripping Prince's left lower forearm with his left hand and applied a wristlock to Prince's left wrist with his right hand.

Note: According to Officer Ramirez, he gripped Prince's left arm above the elbow with his right hand, and Prince's left wrist with his left hand.

Prince was partially laying on his right side, with his left shoulder slightly elevated and his legs in contact with the ground. From each of their respective positions, the officers began to roll Prince to his right onto his stomach, placing his left arm behind his back while his right arm remained pinned under his body. Officer Ramirez applied bodyweight to Prince's thighs and hip area with his knees.

Note: According to Officer Ramirez, he applied body weight to Prince's legs because he was kicking. He also stated that he placed his upper torso onto Prince's hip and applied bodyweight. A review of BWV and DICVS did not capture Prince kicking his legs during this time or Officer Ramirez placing his upper torso on Prince.



Still photo from Sergeant Contreras' DICVS depicting officers' approximate positions.²³

Officer Ramirez directed the officers to handcuff the left wrist first before attempting to put Prince's right arm behind his back. According to Officer Tarango she handcuffed Prince's left wrist. Officer Garcia knelt, used both hands to pull Prince's right arm from underneath his body and placed it behind his back. Officer Ramirez gripped Prince's right hand with his right hand and Officer Tarango handcuffed Prince's right wrist. According to Officer Ramirez, Prince was trying to pull away from him as he was being handcuffed. According to Sergeant Contreras, once Prince was handcuffed he went from being involved in the use of force to asserting command and control of the officers.

Officers Vasquez and Sosa were the next officers to arrive and began to assist with crowd control, followed shortly thereafter by Officers Curtis, Aguilar, DeBuck and

²³ Officer Bender is depicted in the still photo standing to the right of Sergeant Contreras. The investigation determined he did not use force on Prince.

Morales. Officer Morales retrieved his 40 millimeter (mm) less lethal launcher from the vehicle and Officer DeBuck began to assist with crowd control.

After Prince was handcuffed, Officer Garcia directed the officers to search Prince's waistband. Officer Garcia's BWV captured Officer Tarango search Prince's rear waistband, the back of his legs, and his buttocks area.

Officers Garcia and Tarango rolled Prince into a supine position. Officers Valvaneda and Tarango then placed Prince in a seated position, leaning him against each of their legs.



Officer Valvaneda's BWV



Officer Tarango's BWV

[...]

Note: Officer Tarango's BWV camera was knocked to the ground moments after the handgun was recovered from Prince.

At approximately 2339:33 hours, Officer Monteagudo can be heard on BWV informing Sergeant Contreras that he placed a carotid restraint control hold on Prince.

Note: According to Sergeant Contreras, he heard Officer Monteagudo tell him about applying the carotid; however, his intent was to finish dealing with the ongoing incident.

At approximately 2339:52 hours, Sergeant Contreras broadcast, *"1L120, let me get an RA unit for a male, about 35 years old, he's conscious and breathing, he's bleeding from his mouth."* According to Sergeant Contreras, he requested the RA because Prince was bleeding from the mouth and a carotid had been placed on Prince.

Shortly after being placed in a seated position, Prince slid off the legs of Officers Valvaneda and Tarango and onto the ground. Officer Valvaneda and Tarango then placed Prince in a left lateral recovery position. At approximately 2341:06 hours, Officer Tarango's BWV captured Prince stating, *"Help me"* as he began to rock back and forth on the ground. Moments later Prince stated, *"Oh my God, what happened? What's going on?"* Prince began lifting his shoulders and head off the ground and spat blood in an upward direction, with some of the bloody spittle landing on Officer Ramirez'

forehead and uniform shirt. Moments later, Prince spat blood a second time in an upward direction. Officer Valvaneda used his left hand to hold Prince's head down on the ground and control him in an attempt to stop him from spitting, while he held Prince's right shoulder with his right hand.

Prince began to flail his legs and draw them in toward his body. Officer Garcia used his hands and crossed Prince's legs, one over the other, as he asked for a hobble. Officer Monteagudo attempted to place a hobble around Prince's ankles; however, Prince kicked his feet partially free of the restraint. Officers Monteagudo and Garcia used their hands to apply bodyweight to Prince's flailing legs. Prince continued to struggle and was able to draw his left leg closer into his body and began yelling "No!" Officer Monteagudo grabbed Prince's left leg with his left hand and attempted to straighten it out. Officer Garcia then placed his right knee on top of Prince's left foot and applied bodyweight.

Officer Garcia directed the officers to turn Prince onto his stomach. Officer Garcia shifted his position and placed his right knee on top of Prince's left knee area. In an effort to roll Prince onto his stomach, Officer Garcia pulled at Prince's clothing, as Officer Valvaneda continued to hold Prince's head down with his left hand and also pull at Prince's clothing with his right hand; however, the officers were unsuccessful in rolling him over. Officer Valvaneda then applied body weight with both of his knees onto the left side of Prince's torso and back area. Officer Monteagudo applied body weight with his right knee to Prince's lower left leg.

Officer Valvaneda's BWV captured Officer Garcia quickly elevate his right knee up and down, two times, on top of Prince's lower torso area. Prince yelled, "*They're beating me!*" According to Officer Garcia his intent was to place Prince onto his stomach and place his knee on his back; however, Prince pulled away from him and kicked his feet, which prevented him from doing so. Officer Garcia attempted to place his right knee on Prince a second time but was only able to place it on Prince's rib area and apply bodyweight. Officer Garcia stated that he never administered knee strikes to Prince.

OIG Note No. 4: Officer Valvaneda's BWV captures Officer Garcia forcefully impact Prince's torso area with his (Garcia's) right knee at 2341:42 hours.²⁴

During his interview with FID investigators, Officer Garcia was asked, "The knees that you used to, I guess, use your body weight, were they like knee drops?" Officer Garcia responded, "No. I was on my knees, so I had no way to drop my knee." Officer Garcia was then asked, "Okay. And they were not knee strikes?" Officer Garcia responded, "No."²⁵

²⁴ Officer Valvaneda's BWV at 0641:42z.

²⁵ Officer Garcia, Page 30, Lines 11-18.

Sergeant Contreras's BWV captured him positioned next to Officer Garcia's right side at 2341:45 hours. Sergeant Contreras can be heard on the video saying, "Watch his head, relax." Sergeant Contreras then asked Officer Valvaneda, "Who's this guy?" while pointing at Officer Garcia. Sergeant Contreras can be seen touching Officer Garcia on the shoulder and telling him, "Get off him [Prince]." Just prior to Sergeant Contreras saying this to Officer Garcia, Prince can be heard on BWV shouting, "They're beating me."²⁶

When asked by FID investigators about the above-described interaction with Officer Garcia, Sergeant Contreras stated the following: "I think it was Officer Martin [Officer Garcia]. He [Officer Garcia] was I think he had both knees on his [Prince's] like side because I think that guy was on his side but he had both knees on his side. And at that point, he [Prince] was kind of complaining that he -- he couldn't breathe. So, I grabbed -- I -- I couldn't tell who it was in the beginning and -- and I think you could hear me say, who is that? [...] Who -- who's this dude -- [...] -- and because I couldn't tell. I mean I know him but I couldn't -- I couldn't because the -- everything was happening. So, I just wanted him [Officer Garcia] off him [Prince]. I just grabbed him [Officer Garcia] and I -- and I tapped him. I said get off him. Get away. Get back. And because I -- my intention was to, okay, I want everybody -- I want him [Officer Garcia] off of him [Prince] now because I think he -- he [Prince] went crazy for a little bit and then officers surged back on top of him. And I wanted to get it off him so we can sit him back up again [...] and make sure that -- that that wasn't a cause of him saying I can't breathe."²⁷

The first time when Prince could be heard on a BWV recording stating that he was having trouble breathing was after Sergeant Contreras had told Officer Garcia to get off of Prince, and it was also after a subsequent application of a spit sock covering Prince's face.²⁸

At around the same time during the incident, Sergeant Contreras's BWV captured him say to Sergeant Ahlemeir, who was nearby, "Just watch these officers, make sure they're okay. When he [Prince] starts going crazy they start jumping on him, just make sure they restrain themselves."²⁹

According to Officer Morales, he observed Prince moving around a lot and believed the officers were losing control of Prince, so he went to assist. Sergeant Contreras' DICVS

²⁶ Sergeant Contreras's BWV from 0641:28z - 0641:58z.

²⁷ Sergeant Contreras's first statement, Page 52, Line 6 to Page 53, Line 3.

²⁸ Officer Tarango's BWV at 0647:33z.

²⁹ Sergeant Contreras's BWV from 0647:03z - 0647:12z.

captured Officer Morales initially approach Prince and reach toward him with his right hand with the 40 mm launcher slung on the front of his body. Officers Morales then took a step back and transitioned the 40 mm launcher to a climb and carry position on his back. Officer Garcia's BWV then captured Officer Morales applying bodyweight to Prince's right leg with both his hands and knees. As Officer Morales controlled Prince, DICVS captured another officer remove the 40 mm launcher from Officer Morales.³⁰

Note: According to Officer Morales, the 40 mm launcher was taken from him prior to contacting Prince.

Officer Monteagudo crossed Prince's ankles over each other and placed the hobble above Prince's crossed ankles. Officer Aguilar placed both hands on Prince's ankles and applied a firm grip to prevent him from kicking or pulling away. Officer Monteagudo then tightened the hobble, wrapped the strap portion around Prince's ankles, and passed the strap through the loop to make a knot. Officer Monteagudo then maintained control of the hobble strap.

According to Sergeant Contreras, he wanted to place Prince back into a seated position, so he put his hand on Officer Garcia's shoulder and tapped Officer Garcia's side with his fingers, directing him to get off Prince. Officer Valvaneda's BWV then captured Officer Garcia press his closed right fist on the right side of Prince's torso and apply body weight. According to Officer Garcia, he ensured the hobble had been applied to Prince's legs and used his fist to maintain his balance to get off Prince. Officer Garcia then stood up and got off Prince.

Prince was on his left side with his hands handcuffed behind his back. While in that position, Officer Morales' BWV captured Prince use both hands to grasp Officer Valvaneda's right leg and repeatedly yell, "*Fuck you!*" Officer Valvaneda ordered Prince to stop and attempted to pull his right leg away and remove Prince's fingers off his leg but was unsuccessful. Officer Valvaneda then attempted to remove Prince's right hand from his leg by pulling on Prince's arm with both hands, but he was unsuccessful.

According to Officer Valvaneda, Prince's fingers were beginning to dig into his skin causing him pain. Officer Valvaneda stated, "*You know, I was in fear that -- feeling that this is skid row. If you were to break skin, you know, it could lead to infection or something like that. So I - - I felt it necessary that he let go of my - - of - - of - - of my leg as soon as possible.*"³¹ Therefore, Officer Valvaneda struck Prince one time with a closed fist on his right abdomen in an attempt to distract him and get Prince to release his grip, and ordered Prince to let go. Prince did not comply and maintained his grip. Officer Morales used both hands to grab Prince's right arm and along with Officer Valvaneda and they tried to pull Prince's right arm away from Officer Valvaneda's leg,

³⁰ The investigation determined Police Officer II Anthony Carrillo, Serial No. 43442, removed the 40mm launcher from Office Morales. Officer Carrillo was not involved in the use of force with Prince; therefore, he was not interviewed for this investigation.

³¹ Officer Valvaneda's statement, Page 11, Lines 19- 24.

but were unsuccessful. Officer Valvaneda struck Prince a second time with a closed right fist on his right lower back area. Officer Valvaneda then used his right hand to work Prince's right fingers free of his leg. However, Prince continued to use his left hand to maintain his grip on Officer Valvaneda's leg. Officer Valvaneda used his right hand to push Prince's right hand backward and then grabbed Prince's right fingers with his left hand, placing Prince into a finger flex. Prince continued to yell, "*Help me, they're beating me,*" throughout the interaction.

Note: According to Officer Valvaneda, he did not strike Prince at full strength.

OIG Note No. 5: *Officer Morales's BWV captured Officer Valvaneda strike Prince twice using what appeared to be a measured level of force on both occasions.*³²

While maintaining the finger flex with his left hand, and ordering Prince to let go, Officer Valvaneda used his right hand to remove Prince's left hand from his leg and repositioned his knees off of Prince to kneeling on the ground next to him. Officer Valvaneda then gripped Prince's right arm with both hands. Officers Tarango, Morales, and Sergeant Contreras each gripped Prince's right arm as well. Prince yelled numerous profanities at the officers and demanded they get off of him.

[...]

Prince was still in a left side recovery position and Sergeant Contreras directed the officers to move Prince to a seated position. Officer Tarango's BWV captured Sergeant Contreras kneel down near Prince's head and grip Prince's upper right arm with his left hand.

Sergeant Contreras told Prince multiple times to relax, and that officers were going to sit him up. Sergeant Contreras then released his grip and stood. Sergeant Contreras then gripped Prince's sweatshirt at his right shoulder and continued to tell Prince to relax and that officers were going to sit him up, to which Prince retorted, "*I'd rather die.*" Prince then shouted, "*Kill me,*" multiple times. Officers ultimately left Prince in the left lateral position and did not sit him up.

Officer Valvaneda maintained control of Prince's right arm while Officer Tarango controlled Prince's right shoulder. Officer Monteagudo held the strap of the hobble as Prince continued to thrust his upper torso and hips back and forth while moving his legs.

While officers held Prince in the left lateral position, Officer Tarango's BWV captured Prince repeatedly moving his head back and forth toward the pavement. Sergeant Contreras ordered Prince to stop banging his head on the ground; however, Prince stated, "*I don't want to live anymore.*" and continued to move his head.

³² Officer Morales's BWV at 0642:12z.

Officer Morales' BWV captured Officer Valvaneda use both his hands to grip Prince's right arm and then use his right knee to apply bodyweight to Prince's right hip area. Officer Tarango was positioned near Prince's head and placed her boot between Prince's head and the asphalt in an effort to shield him from injury. Prince told Officer Tarango to move her foot and repeated, *"I got to kill myself."*

At approximately 2344 hours, Los Angeles Fire Department (LAFD), Rescue Ambulance (RA) No. 900 with Firefighters Scott Gehr and Eric Shinn arrived on scene. The firefighters informed the officers that they had been dispatched to the scene for a basic life support (BLS) request, so they requested LAFD paramedics to the scene who would administer a sedative to Prince.

As the officers continued to hold Prince down, Officer Hyshaw suggested to Officer Bender that they render Prince's handgun safe and Officer Bender agreed. Officers Hyshaw and Bender then walked to Sergeant Contreras' vehicle. As Officer Bender pushed the trunk release button in the passenger compartment of the vehicle, Officer Hyshaw donned latex gloves. Officer Hyshaw picked up the fabric pocket containing the handgun from the trunk, removed the gun from within the fabric and opened the cylinder of the handgun. According to Officer Hyshaw, she removed five live rounds of ammunition from the handgun's cylinder and placed them in a property bag. She rolled up a field interview card and placed it in the cylinder area of the handgun. Officer Hyshaw then placed the handgun into the property bag with the live ammunition and closed the vehicle's trunk.

Note: According to Officer Bender, he suggested that the handgun be rendered safe.

According to Officer Bender, he did not know the incident was a categorical use of force until after he and Officer Hyshaw left the scene. A review of their BWV confirmed that Officers Hyshaw and Bender were not informed the incident was a categorical use of force prior to rendering the firearm safe.



Photograph depicting the fabric pocket and handgun possessed by Prince.

Prince began to state he had a child on the way and he needed to die. Sergeant Contreras continued to tell Prince to relax and that no one was going to kill him. Prince made guttural sounds as he yelled for the officers to stomp his head into the ground. While Officer Tarango's boot remained under Prince's head, he attempted to bite Officer Tarango's boot and she ordered him to stop.

Note: According to Officer Tarango, officers placed a hobble on Prince after he attempted to bite her boot.

According to Officer Garcia, he placed a spit sock over Prince's head due to the fact Prince was biting Officer Tarango; however, Prince began to bite the spit mask, stopping its placement near his mouth and preventing Officer Garcia from pulling it down further. Officer Monteagudo gave the strap of the hobble to Officer Aguilar who maintained control of it.

Note: According to Sergeant Contreras, Prince chewed on the spit sock to intentionally choke himself.

At approximately 2344 hours, Lieutenant Mylonakis arrived at scene followed shortly thereafter by Sergeant Ahlemeir. At the direction of Lieutenant Mylonakis and Sergeant Contreras, Sergeant Ahlemeir began to monitor the actions of Prince and the officers.

Lieutenant Mylonakis then met with Sergeant Contreras and Officer Monteagudo. Lieutenant Mylonakis learned that Sergeant Contreras was involved in the use of force and was briefed by Officer Monteagudo about the incident. Sergeant Contreras asked a few clarifying questions and confirmed Officer Monteagudo had in fact applied a carotid restraint control hold.

Note: According to Sergeant Contreras, he had investigated prior uses of force where officers mistakenly believed they applied a carotid when they did not. Therefore, he asked Officer Monteagudo questions about applying the carotid to ensure he had an understanding of what a carotid was, and to determine the need to separate officers.

Prince continued to lay in a left side recovery position while Officer Tarango maintained a grip of Prince's sweatshirt near his right shoulder. Officer Valvaneda maintained a grip of Prince's right arm and removed his right knee from Prince's right hip. Officer Morales applied bodyweight with his knees on Prince's right hip and leg, while applying bodyweight with his right hand to Prince's lower right leg. Officer Aguilar continued to hold the strap of the hobble.

Firefighter Gehr began to question Prince if he had used narcotics and Prince denied using any. Prince then stated, "*I can't breathe. I'm going to die.*" Prince began to repeatedly yell that he could not breathe as LAFD personnel monitored him. Firefighter Gehr told Prince that if he could talk, he could breathe. Firefighter Gehr informed Prince

that they were going to administer medicine to him that would help him relax and make him sleepy. Prince continually plead for the spit sock to be removed.

Officer Valvaneda summoned Officers Brady and Tran to assist in controlling Prince, so that he could speak with Sergeant Contreras. Officer Valvaneda then met with Sergeant Contreras, who informed him that Officer Monteagudo had applied a carotid hold to Prince and that eventually the involved officers were going to be separated.

As Officers Brady and Tran approached Prince to assist the other officers, Officer Brady's BWV appeared to capture Prince in a prone position while the hobble was still applied to his legs. Officer Morales continued to maintain his knees on Prince's legs applying bodyweight, and used his closed right fist to apply bodyweight to Prince's right arm. Officer Tarango gripped Prince's right arm with her right hand and gripped his sweatshirt near his right shoulder with her left hand. Officer Aguilar maintained control of Prince's feet.

At approximately 2348:46 hours, LAFD RA No. 209 with Firefighter/Paramedics Ryan George and Andre Gano, arrived at scene.

Prince repeatedly stated that he did not consent to being administered any medicine. Officers Brady and Tran each donned latex gloves. Prince called out for help multiple times and yelled, "*I can't breathe!*" Officer Brady's BWV captured Officers Brady and Tarango each grab Prince's sweatshirt, near his right shoulder and upper right arm, and position Prince in a left lateral recovery position. Officer Tran then relieved Officer Tarango and obtained a grip on Prince's sweatshirt near his right shoulder with his right hand (Investigators' Note No. 3).

OIG Note No. 6: As reported by FID in Investigators' Note No. 3, "The investigation determined that Prince was in a prone position, while the hobble was applied to his legs for approximately 46 seconds. Prince's position during this time was captured on Officer Brady's BWV between approximately 2348:37 hours and 2349:23 hours."

Officer Valvaneda's BWV at 2348:34 hours captured him ask Officers Tran and Brady to take over for him in assisting with the restraint of Prince who, at that time, was in a left lateral position. Officer Valvaneda then left Prince to speak with Sergeant Contreras.³³ Officers Brady and Tran approached Prince, and they both donned latex gloves. As they did so, Prince slipped into more of a prone position.

Officer Tarango's BWV captured her pulling Prince's right shoulder up and back during the 46-second period identified by FID when Prince was hobbled and in a prone position. Then, at approximately 2349:23 hours, Officers Brady and Tarango each grabbed Prince's sweatshirt, near his

³³ Officer Valvaneda's BWV at 0648:37z.

right shoulder, and moved Prince into a left lateral position.³⁴ Additionally, Sergeant Ahlemeir was monitoring Prince's detention during the 46-second period in which he was hobbled and in a prone position.

Note: According to Officer Tran, he had a firm grip of Prince's clothing with his left hand on the left side of his shoulder area and his left hand gripping Prince's bicep.

Officer Tran told Prince to relax. Prince responded by saying that he wanted to die, that he had a child on the way and he *"fucked up."* Officer Brady's BWV captured a large horizontal tear in the material of the spit sock near Prince's mouth area. Sergeant Contreras, who had resumed monitoring Prince along with Sergeant Ahlemeir, directed Officers Brady and Tran to place Prince into a seated position. Officer Aguilar continued to hold onto the hobble strap as Officers Tran and Brady rolled Prince to his right and placed him into a seated position.

After being placed into a seated position, Prince continued to state that he could not breathe, and he wanted the officers to kill him. Officer Brady's BWV captured Firefighter Shinn adjust the spit sock on Prince's head slightly. Firefighter Gano then administered a sedative to Prince by injecting it through his sweatshirt in Prince's left upper arm. As Firefighter Gano administered the sedative, Officer Tran maintained control of Prince by holding his upper back and the base of his neck area with his right hand, while Officer Brady held Prince's right upper back with his left hand. Both Officers Tran and Brady were positioned behind Prince.

Prince again yelled profanities, stated he could not breathe, and ordered the officers to kill him. Officer Brady continued to verbalize with Prince to relax. Prince began to twist his torso and draw his feet in toward his body. According to Officer Tran, *"The suspect began to attempt to stand up and throw all his weight backwards towards me and my partner."*³⁵ According to Officer Brady, Prince moved him and Officer Tran back about half a step. Officer Brady's BWV captured Officer Ramirez use his right foot to step on Prince's feet at this point to limit his movement.

While maintaining his grip on Prince's upper back and lower neck area, Officer Tran grasped Prince's left bicep with his left hand. Officer Brady grasped Prince's right shoulder with his left hand and grasped Prince's right arm with his right hand. As Prince continued to struggle, Officer Morales pushed down on Prince's left shoulder with his left hand and grabbed his left arm with his right hand. The officers then laid Prince down on the pavement onto his right side.

Officer Brady held Prince's left shoulder with his left hand. Officer Tran placed his right hand on Prince's left back area and held Prince's left arm using a firm grip with his left

³⁴ Officer Tarango's BWV from 0648:38z – 0649:23z.

³⁵ Officer Tran's statement, Page 14, Lines 2- 4.

hand. Officer Morales used his right hand to grip Prince above his left elbow and used his left knee to apply body weight onto Prince's left leg while Officer Aguilar continued to maintain control of the hobble strap. Prince continued to yell, "*I can't breathe*," and call for help. Prince then began to make guttural sounds. Sergeant Contreras directed Officer Morales to get off Prince, which he did. Sergeant Contreras also directed the officers to sit Prince up. However, before officers sat Prince up, Firefighter Gano administered a second dose of sedative to Prince by again injecting it through his sweatshirt into his left upper arm.

Officers Brady and Tran then placed Prince back into a seated position. Prince continued to make guttural sounds. Officer Ramirez continued to stand on the top of Prince's left foot with his right foot. Sergeant Contreras directed Officer Brady to take the spit sock off Prince's head, which he did.

Officer Valvaneda's BWV captured the officers gathered around Prince, preparing to move him onto the fire department's gurney. Prince could be heard clearing his throat and Officer Tarango warned officers that Prince was going to spit. Officers Brady, Tran, Aguilar, Ramirez, and Firefighter Shinn picked up Prince from the ground and placed him on the fire department's gurney. As the group moved Prince, Officer Valvaneda used his right hand to keep Prince's head in a downward position to keep him from spitting on the officers.

As the firefighters secured Prince to the gurney, he continued to struggle. Firefighter George repeatedly told Prince to relax and attempted to obtain his name. Prince repeatedly responded, "*You got to fuckin kill me!*" Firefighter George continued to tell Prince to relax and told Prince he was being transported to the hospital. Prince was then sat up on the gurney and Officer Brady unlocked the handcuff on Prince's left wrist. According to Officer Brady, Prince complied and sat up without resisting. Officer Aguilar then used an additional pair of handcuffs to secure Prince's left hand to the gurney. Officer Brady in turn handcuffed Prince's right hand to the gurney. LAFD personnel loaded Prince into the back of the RA.

Lieutenant Mylonakis began to identify which officers at scene were involved in the use of force with Prince and coordinated other officers to accompany Prince to the hospital. According to Lieutenant Mylonakis, due to a lack of available supervisors, he gathered some of the officers that he had identified, along with Sergeant Contreras, and admonished them as a group not to discuss the incident.³⁶ According to Lieutenant Mylonakis, he gave Officer Monteagudo a modified Public Safety Statement (PSS). While amongst the group of officers, BWV captured Lieutenant Mylonakis ask Officer Monteagudo where the use of force occurred, if there were any outstanding weapons, and if there were any additional suspects. He then requested additional supervisors from outside divisions to assist with monitoring duties.

³⁶ Officer Brady's BWV captured the following people present for the group admonishment: Sergeant Contreras, Officers Monteagudo, Valvaneda, Tarango, Garcia, Brady, Tran, and Morales.

Note: According to Lieutenant Mylonakis, he asked the group of officers questions related to a Public Safety Statement; however, Officer Brady's BWV appeared to capture Lieutenant Mylonakis directing his questioning to Officer Monteagudo in front of the group, rather than him questioning the group as a whole.

LAFD RA No. 209 transported Prince to Good Samaritan Hospital for treatment. Officers Sosa and Flores rode in the RA to provide security for LAFD personnel.

Force Investigation Division (FID) Detective II Brad Michel, Serial No. 36782, reviewed all documents and circumstances surrounding the separation and monitoring of the involved officers (Addendum No. 2) (Investigators' Note No. 4).

Scene Description

The carotid restraint control hold occurred in the southbound number one traffic lane of San Pedro Street, in front of 521 South San Pedro Street. San Pedro Street is a north and south roadway with two lanes of traffic in each direction, bordered by 5th Street to the north and Sixth Street to the south. San Pedro Street consisted primarily of businesses on the east and west sides of the street.

The incident occurred during the hours of darkness, at approximately 2337 hours. The weather conditions were dry and clear. The area was illuminated by street lights and lighting affixed to nearby businesses.

Canvass for Witnesses

On April 17, 2020, FID Detective II Paul Bowser, Serial No. 35842, and Detective III Kevin Huff, Serial No. 34099, conducted a canvass in the area for any civilian witnesses and did not locate any that wished to speak with the investigators.

Suspect Information



Weslie Eugene Prince Jr was a male Black, bald, with brown eyes. At the time of this incident, he was 5 feet 10 inches tall, weighed 205 pounds, and was 39 years old with a date of birth of December 28, 1980. He was identified by CII No. A11626792 and California Driver License No. B8213087. Prince sustained criminal convictions for giving false information to a peace officer, taking a vehicle without the owner's consent, felon in possession of a firearm, inflicting corporal injury upon a spouse or cohabitant, and burglary. Prince was on parole for burglary at the time of the incident. (Addendum No. 3).

FID Criminal Apprehension Team (CAT) Detective II Francisco Alvelais, Serial No. 30865, completed a combined crime and arrest report naming Prince as a suspect of California Penal Code (PC) Section 29800(a)1- Felon in possession of a

firearm, under DR No. 2001-10682. Prince invoked his Miranda Rights and declined to speak with investigators about the incident (Addendum No. 4).

Prince was booked at the LAPD Metropolitan Detention Center under booking No. 5917238.

On April 21, 2020, Los Angeles County District Attorney's Office filed one count of 29800(a)1 PC– Felon in possession of a firearm and one count of 25850(a)PC– Carrying a loaded firearm in public.

As of this writing, a preliminary hearing setting has been set for December 16, 2020.

Mental Evaluation Unit (MEU) Police Officer II Albert Bertieri, Serial No. 36803, was notified of the incident. Officer Bertieri indicated that Prince did not have any prior MEU contacts.

Injuries

At approximately 2344 hours, LAFD RA No. 900 with Firefighters Scott Gehr and Eric Shinn arrived on scene. The firefighters had been dispatched to the scene for a basic life support (BLS) request. After assessing Prince, they requested LAFD paramedics to the scene who could administer a sedative to him.

At approximately 2348 hours, LAFD RA No. 209 with Firefighter/ Paramedics Ryan George and Andre Gano, arrived at scene. Firefighter/ Paramedic Gano administered two doses of a sedative to Prince.

Firefighter/ Paramedics George and Gano transported Prince to Good Samaritan Hospital for treatment. They were accompanied in the R/A by Officers Sosa and Flores.

Note: According to Sergeant Ahlemeir, Prince was transported to Los Angeles County University of Southern California Medical Center.

During Prince's transport to the hospital, Officer Sosa's BWV captured Firefighter/ Paramedics George speaking to someone on the telephone about Prince's medical condition. Regarding Prince's condition, Firefighter/ Paramedic George noted agitated delirium, an abrasion to Prince's lower lip, and two 5- milligram doses of Versed had been administered.³⁷

While at Good Samaritan Hospital, medical personnel restrained Prince to the hospital bed with soft restraints and a surgical mask was taped to his face. Officer Flores' BWV captured Prince continuously state that he couldn't breathe with the surgical mask on his face. According to Officer Sosa, Prince was uncooperative with the hospital staff and was not allowing them to insert an IV into him, so private hospital security was

³⁷ According to Drugs.com, Versed is a benzodiazepine sedative.

summoned. As some point, the private hospital security switched out the handcuffs on Prince for the soft hospital restraints.

Prince was medically cleared for booking by Doctor Andrew Herzik (Addendum No. 5).

Note: Prince declined to sign an authorization to release his medical records.

Prior to booking, it was noted that Prince sustained minor abrasions to his knees. Those injuries were subsequently photographed.

Evidence

While at Good Samaritan Hospital Officer Vasquez recovered a tar-like substance (item No. 1) and a white crystalline substance (item No. 2) from Prince's person. Additionally, Detective II Joseph Kirby, Serial No. 36857, FID/ CAT, responded to the hospital and collected a buccal swab from Prince's mouth (item No. 3) and Prince's black athletic pants (item No. 4).

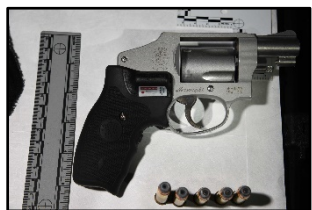
FID Detective Bowser processed the crime scene and collected the handgun Prince possessed (item No. 5), (5) live rounds of ammunition (item No. 6), and the black fabric that the firearm had been carried in (item No. 7) from the trunk of Sergeant Contreras' police vehicle. The spit sock that had been placed of Prince's head was photographed and later discarded.

On June 2, 2020, LAPD Forensic Science Division (FSD) Criminalist II Daniel Rubin, Serial No. G9077, conducted a test fire of Prince's handgun, which resulted in a cartridge case (item No. 8) and a fired bullet (item No. 9) being collected and booked.

On April 23, 2020, LAPD FSD Criminalist II Andrea Mazzola, Serial No. G9429, analyzed the evidence and determined item No. 1 contained concentrated cannabis and item No. 2 contained methamphetamine.

A total of 9 items were booked in conjunction with this incident (Addendum No. 6).

Weapons



Weslie Eugene Prince Jr was armed with Smith & Wesson revolver, with a five-shot capacity, a two-inch barrel and a laser grip.

On June 19, 2020, a DNA analysis was conducted by FSD Criminalist II Samuel Hong, Serial No. N4628, to compare the buccal swab from Prince's mouth (item No. 3) to Prince's handgun (item No. 5). Criminalist Hong determined that there were at least five contributors and at least two

were male. However, it was concluded that due to the complexity of the data, the DNA results were unsuitable for interpretation (Addendum No. 7).

On April 23, 2020, FID CAT Detectives Francisco Alvelais, Serial No. 30865, and Jeffery Martin, Serial No. 32877, met with the registered owner of the handgun, Justin Guisinger. Guisinger stated that on April 4, 2020, he was confronted by three male blacks in an elevator. One of the suspects removed the handgun, which he had in his pants pocket, and the suspects fled the elevator with his handgun. Guisinger told the detectives that he never reported the incident to the police. The detectives later showed Guisinger a photographic line-up with a photograph of Prince in one of the six positions. Guisinger did not identify Prince in the photographic line-up.

Firearms Analysis

On June 2, 2020, Criminalist Rubin conducted a test fire of the handgun and found it to be functional. Representative images of the test fired bullets were also entered into the NIBIN database (Addendum No. 8).

Visual Documentation

Digital In-Car Video System

Multiple police vehicles equipped with DICVS responded to this incident. The DICVS associated with the officers mentioned in this administrative summary were reviewed by FID investigators. None of the DICVS captured the carotid restraint control hold being applied. The following is a synopsis of the DICVS that had significant evidentiary value:

- Sergeant Contreras' DICV captured the recovery of Prince's handgun, the officers handcuffing Prince, Officer Ramirez being spit on by Prince, and the officers' placement during part of the non- categorical use of force.

Note: Sergeant Contreras' DICVS began to record after Sergeant Contreras was out of the vehicle and making contact with the suspect. FID/ Video Training Unit Sergeant Jason Liguori, Serial No. 36091, reviewed the audit trail of the DICV and determined that the system had shut itself off, prior to Sergeant Contreras responding to the incident. Due to the brief duration of travel time from Central Division to the scene, the DICV began to record as soon as the system could turn itself on. The audit trail also revealed Sergeant Contreras turned off the front camera during the incident. According Sergeant Contreras, he believed the camera was not recording so he attempted to initiate a recording. In doing so, he inadvertently stopped the active recording.

- Officers Sosa and Vasquez DICV partially captured the officers positioning during the non- categorical use of force, from a distance.

- Officers Tran and Brady DICV partially captured the officers positioning during the non- categorical use of force.

Body Worn Video

The BWV associated with the officers mentioned in this administrative summary were reviewed by FID investigators. The following is a synopsis of the BWVs that had significant evidentiary value:

- Officer Monteagudo's BWV captured the initial contact with Prince and the ensuing foot pursuit.
- Officer Tarango's BWV captured a portion of the foot pursuit, briefly captured Officer Monteagudo' arms around Prince's neck, Officer Valvaneda pressing his pistol against Prince's torso, and a portion of the non-categorical use of force.
- Officer Valvaneda's BWV captured a portion of the foot pursuit, briefly captured Officer Monteagudo' arms around Prince's neck, and a portion of the non-categorical use of force.
- Sergeant Contreras' BWV captured Officer Monteagudo notifying him that he applied a carotid, the request for a R/A, and a portion of the non-categorical use of force.
- Officer Hyshaw's BWV captured Sergeant Contreras handing her the black pouch and the unloading of Prince's handgun.
- Officer Ramirez' BWV captured the recovery of Prince's handgun.
- Officer Pinedo's BWV captured the recovery of Prince's handgun and a portion of the non-categorical use of force.
- Officer's Tran and Brady's BWVs captured LAFD personnel administering sedative to Prince and a portion of the non-categorical use of force.
- Officer Garcia's BWV captured Garcia placing a spit sock on Prince and a portion of the non-categorical use of force.
- Officers Morales and Aguilar's BWVs captured portions of the non-categorical use of force.
- Officers Sosa and Flores' BWV captured Prince's transportation and a portion of his medical treatment at the hospital.

Social Media

Personnel assigned to FID's Cyber Unit monitored social media sites from the date of the incident until the submission of this investigation. No additional evidence, information or witnesses were identified.

Other Department Video

There are no other Department videos of this incident.

Outside Video

On April 18, 2020, Police Surveillance Specialist I Hardy Muller, Serial No. N2941, responded to the area of the incident and downloaded surveillance video from 545 South San Pedro Street, 506 South San Pedro Street, 505 South San Pedro Street, and 406 East 5th Street.

- 545 South San Pedro Street had two cameras which partially captured the foot pursuit and Officer Monteagudo's contact with Prince, from a distance. Specialist Muller noted the display time was two minutes faster than actual time. The video was stored under Digital Control Number 753547.
- 506 South San Pedro Street had two cameras which partially captured the foot pursuit. One of the two cameras captured Monteagudo's contact with Prince, from a distance. Specialist Muller noted the display time was one minute slower than actual time. The video was stored under Digital Control Number 753548.
- 505 South San Pedro Street had two cameras which partially captured the foot pursuit. Specialist Muller noted the display time was one hour and three minutes slower than actual time. The video was stored under Digital Control Number 753549.
- 406 East 5th Street had two cameras which both partially captured the foot pursuit with one camera capturing the officers Code 6, from a distance. Specialist Muller noted the display time was two minutes slower than actual time. The video was stored under Digital Control Number 753550.

On April 21, 2020, Detective Bowser received surveillance video from Central Area RESET Police Surveillance Specialist I Martin Rodriguez, Serial No. N4340, which had been downloaded from a pole camera at 5th Street and San Pedro Street. The pole camera had three camera angles, each of which partially captured the foot pursuit. One of the three angles captured the use of force with Prince from a significant distance. The display time is approximately two seconds faster than the coordinated universal time (UTC) on Officer Monteagudo's BWV camera. The video was stored under Digital Control Number 758607.

On April 22, 2020, Detective Bowser received additional surveillance video from Specialist Rodriguez, which had been downloaded from 512 and 522 South San Pedro Street, Wesley Heath Center, and 526 South San Pedro Street, LAMP Community.

- 512 South San Pedro Street had a camera which captured a portion of the foot pursuit and Officer Monteagudo's contact with Prince, from a distance. The display time is approximately two seconds faster than the UTC time on Officer Monteagudo's BWV camera. The video was stored under Digital Control Number 758613.
- 522 South San Pedro Street had a camera which did not capture the use of force. The video was stored under Digital Control Number 758610.
- 526 South San Pedro Street had two cameras, both captured portions of the foot pursuit and the use of force with Prince, from varying distances. The display time is approximately 36 seconds slower than the UTC time on Officer Monteagudo's BWV camera. The video was stored under Digital Control Number 758611.

On April 28, 2020, Detective Bowser retrieved surveillance video from 303 East 5th Street. There were two camera views that each captured the officers initial contact with Prince and the beginning of the foot pursuit. The display time of the southeast facing camera is approximately six seconds faster than the UTC time on Officer Monteagudo's BWV Camera. The display time of the west facing camera is approximately 22 seconds slower than the UTC time on Officer Monteagudo's BWV Camera. The videos were stored under Digital Control Number 729461.

Photographs

On April 18, 2019, Technical Investigation Division Photographer III Ryszard Niscior, Serial No. N3630, photographed the crime scene and associated evidence under Digital Control Number 0797411. Photographer III Gary Brod, Serial No. N1328, photographed the officers involved in the incident under Digital Control Number 0797412.

Central Area Detective II Thayer Lake, Serial No. 31741, took ten digital photographs of Officer Monteagudo and his uniform. The photographs were later transferred to a compact disc and stored under Digital Control Number 312894.

Notifications

At approximately 0100 hours, Department Operations Center (DOC) was notified of the Categorical Use of Force by FID Lieutenant II Brian Reynolds, Serial No. 35772. Lieutenant Reynolds was notified by Central Area Watch Commander Lt James Mylonakis, Serial No. 33784, of the categorical use of force at approximately 0027 hours (Addendum No. 9) (Investigators' Note No. 5).

Personnel at Scene

Force Investigation Division Detective Kirby was the first FID personnel to arrive, at approximately 0235 hours. Crime scene logs documenting additional personnel at the location are contained within the FID case file and are available for review.

Communications

A copy of the Communications Division (CD) printout and master recording for Incident No. 20041700006303, including Central Division Frequency, have been stored at FID (Addendum No. 10).

Justice System Integrity Division

This case did not meet the criteria for presentation to the Los Angeles County District Attorney Office, Justice System Integrity Division (JSID).

Investigators' Notes

1. The investigation determined that Officers Bitonti, Vasquez, DeBuck, Curtis, Castellanos, and Flores did not use force on Prince and were not substantially involved in the incident. Therefore, they were not interviewed by FID.
2. According to Sergeant II Raymona Moussa, Serial No. 32298, Policies and Procedures Division, although Tactics Directive No. 18 – Carotid Restraint Control Holds was dated April 2020, it was not published until May 8, 2020. Therefore, it was not in effect at the time of this incident. Additionally, the directive was rescinded on June 8, 2020.
3. The investigation determined that Prince was in a prone position, while the hobble was applied to his legs for approximately 46 seconds. Prince's position during this time was captured on Officer Brady's BWV between approximately 2348:37 hours and approximately 2349:23 hours.
4. The investigation revealed the following issues regarding the documentation of the separation and monitoring of the officers:
 - The Watch Commander's Daily Report indicated that at 0018 hours, Sergeant Gabriel Gaxiola, Serial No. 35056, arrived at the scene and began monitoring involved officers. Sergeant Gaxiola's log indicated he arrived at scene at 0050 hours and began monitoring Officers Noah Holstein, Serial No. 43688, Anthony Carrillo, Serial No. 43442, and Officer Pinedo. Sergeant Jason Cook's log, Serial No. 38389, indicated he transferred monitoring responsibility of Officers Holstein, Carrillo, Pinedo, and Park to Sergeant Gaxiola at 0020 hours.

- The Watch Commander's Daily Report indicated at 0050 hours, Sergeant Gaxiola transported and monitored Officers Pinedo, Carrillo, and Holstein to Central Station. Sergeant Gaxiola's log indicated that he transported the officers at 0100 hours.
- Sergeant Nunez' log indicated that he assumed monitoring duties of Officers Tarango, Aguilar and Valvaneda from Sergeant Cook at 0053 hours; however, Sergeant Cook's log did not reflect he ever monitored these officers.
- Sergeant Gaxiola's log indicated at 0335 hours he simultaneously monitored Officer Park in the Sergeant's Room, and he relieved Sergeant Nunez and monitored Officers Tarango, Aguilar, Valvaneda, Brady, Tran, Garcia, Ramirez, Morales, and Sergeant Contreras in the Central Roll Call Room. The Watch Commander's Daily Report and Sergeant Nunez' log documented the time he relieved Sergeant Nunez was 0400 hours.
- The Watch Commander's Daily Report and Sergeant Nunez' log indicated at 0330 hours, Sergeant Nunez transferred monitoring responsibility of Officer Park to Sergeant Gaxiola. Sergeant Gaxiola's log indicated he began monitoring Officer Park at 0335 hours.
- The Watch Commander's Daily Report indicated at 0600 hours, Detective Lake, Serial No. 31741, transferred monitoring responsibility of Officer Monteagudo to Sergeant Robin Briggs, Serial No. 37924. Sergeant Briggs' log indicated she assumed monitoring duties at 0605 hours.
- The Watch Commander's Daily Report indicated that at 0605 hours, Sergeant Gaxiola and Captain Brent McGuyre, Serial No. 36095, transported Officers Tarango, Valvaneda, Ramirez, Garcia, Morales, and Sergeant Contreras to Police Headquarters Facility. Sergeant Gaxiola's log indicated that he and Captain McGuyre transported the officers at 0610 hours.
- The Watch Commander's Daily Report indicated at 0740 hours, Sergeant Gaxiola transferred monitoring responsibility of Officers Tarango, Valvaneda, Ramirez, Morales, Garcia, and Sergeant Contreras to Sergeant Oliver Thomas III, Serial No. 34998. Sergeant Thomas III's log indicated that he assumed the monitoring responsibility at 0700 hours. Sergeant Thomas III's log also did not indicate the names of the officers that he monitored. Sergeant Gaxiola's log indicated at 0745 hours, he transferred monitoring duties to Sergeant Thomas.
- The Watch Commander's Daily Report indicated at 1015 hours, Sergeant Briggs concluded monitoring duties of Officer Monteagudo. Sergeant Briggs' log indicated that she transported Officer Monteagudo to Central Station at 1000 hours.

- Detective Lake's log was erroneously dated April 18, 2020 instead of April 17, 2020.
5. The categorical use of force occurred on April 17, 2020, at approximately 2337 hours. Officer Monteagudo notified Lieutenant Mylonakis and Sergeant Contreras of the use of force at approximately 2347 hours. Lieutenant Mylonakis documented in the Watch Commander's Daily Report that he called Police Officer II Dennis Orris, Serial No. 36054 at the Department Operations Center (DOC) on April 18, 2020, at approximately 0024 hours and was connected to Lieutenant Reynolds at FID.

The DOC Incident Notification Log did not note Lieutenant Mylonakis' phone call. The log noted that the DOC was notified of the incident at 0100 hours by Lieutenant Reynolds. However, according to Lieutenant Reynolds, he was notified of this incident through the DOC.

6. The investigation revealed the following issues regarding BWV recordings:
 - Sergeant I Luis Contreras, Serial No. 25402, had a reduced buffer without justification and also a late activation. According to Sergeant Contreras, he responded from the station; however, he did not power on his camera once he left the station. He powered on and activated his BWV after he was standing over the group of officers struggling with the suspect. According to Sergeant Contreras he attempted to activate his BWV when he exited the vehicle and realized it was off.
 - Police Officer II Michael Ramirez, Serial No. 39614, had a reduced buffer without justification. According to Officer Ramirez, he had been in the field, looking at his personal phone and didn't want the information captured on BWV, so it was powered off. Additionally, Officer Ramirez' BWV did not capture his Code Three response and was not activated until he had been at scene for approximately 37 seconds and in contact with Prince. Regarding his late activation, Officer Ramirez stated that upon hearing the foot pursuit and help call broadcast, he got, "tunnel vision," and mistakenly did not activate his BWV.
 - Police Officer II Reyna Pinedo, Serial No. 42347, had a reduced buffer without justification. According to Officer Pinedo, she was in the field prior to responding to the back up and believed the camera was powered on.
 - Police Officer II Kenneth Curtis, Serial No. 40858, did not activate his BWV camera during his Code 3 response and had a reduced buffer due to being powered off in the field.
 - Lieutenant Mylonakis did not go to the field with his BWV camera. According to Lieutenant Mylonakis, he decided not to bring his BWV camera based on past use of force incidents where he did not use the BWV camera to record an officer's statement.
7. The investigation revealed the following issues regarding officers not going Code 6 upon their arrival at scene:

- Officer Reyna Pinedo, Serial No. 42347, went Code 6 over the radio approximately 18 minutes after arriving at scene. During Officer Pinedo's interview she explained, *"Initially I didn't put it Code 6 right when we arrived just because, you know, once we got there, we saw that the officers were in the middle of the street so, you know, it's -- my instinct was just to assist right away."* Officer Pinedo's partner was Officer Michael Ramirez, Serial No. 39614.
 - During Officer Martin Garcia's interview, Serial No. 39924, he stated, *"Upon our arrival, we did advise that we were Code 6;"* however, the investigation determined Officer Garcia went Code 6 over the radio approximately seven minutes after arriving at scene. Officer Garcia's partner was Officer Joseph Bitonti, Serial No. 43999.
 - Officer Christopher Tran, Serial No. 41542, went Code 6 over the radio approximately 19 minutes after arriving at scene. Officer Tran's partner was Officer Nicholas Brady, Serial No. 41576. During Officer Tran's interview, he could not recall if he or his partner went Code 6 at scene.
 - Lieutenant Mylonakis went Code 6 and declared himself as the Incident Commander (IC) at approximately 2356:35 after being at scene approximately 12 minutes.
8. The investigation revealed the following officers utilize profanity during the incident:
- Officer Michael Ramirez, Serial No. 39614, used profanity toward the suspect and in conversation with other officers related to the suspect spitting blood on his uniform and face.
 - Officer Martin Garcia, Serial No. 39924, says turn his "ass" over as the suspect struggles.
 - Officer Stephanie Tarango, Serial No. 41751, orders the suspect to, *"drop that shit"* in response to hearing the suspect was armed with a gun. Officer Tarango is also talking to a group of officers after the incident, and while trying to recall a name states, *"fuckin Castellanos."*
 - Officer Kyle Bender, Serial No. 43595, utilized profanity at various points in the incident. According to Officer Bender he used the profanity conversationally and never directed it toward any fellow officers or members of the public.
9. After the use of force, Lieutenant Mylonakis admonished a group of involved officers not to discuss the incident. After that admonishment, the following occurred:
- Officer Garcia discussed different types of upper body control holds with Officer Monteagudo when Officer Monteagudo tells him he tried to apply one. According to Officer Garcia, he did not speak about the specifics of the incident and

believed he was mentoring Officer Monteagudo, who he believed had less experience.

Note: According to Officer Garcia, Officer Monteagudo never replied to him.

- Officer Tarango spoke to Officer Valvaneda about the foot pursuit. Lieutenant Mylonakis became aware of the conversation and again admonished them not to discuss the incident.

10. The investigation determined the following equipment issues:

a. The following personnel were not equipped with a baton on their person. They all indicated that their side handled batons were in their respective vehicles:

- Sergeant Contreras
- Officer Valvaneda
- Officer Tarango
- Officer Ramirez
- Officer Pinedo
- Officer Hyshaw
- Officer Garcia
- Officer Sosa
- Officer Morales
- Officer Aguilar
- Officer Tran

b. The following personnel were not equipped with a hobble restraint device on their person:

- Sergeant Contreras
- Officer Garcia
- Officer Brady
- Officer Ramirez

11. According to Sergeant Contreras he was aware that Officer Hyshaw had recently completed probation, so he opened the trunk of his vehicle, picked up the clear plastic property bag and ensured the handgun had been properly rendered safe. Sergeant Contreras added that he did not physically handle the handgun and that Sergeant Cook was present at the time. Sergeant Contreras was aware that the incident had been deemed a categorical use of force at the time he inspected the handgun.

Note: According to Sergeant Contreras when he inspected the handgun, he could hear the ammunition rattled in the open cylinder of the handgun and did not believe the ammunition was loose in the bag. However, Officer Hyshaw's BWV captured her removing the ammunition from the

cylinder of the handgun and placing the ammunition and the handgun a property bag. Sergeant Contreras' inspection of the handgun was not captured on BWV.

On December 3, 2020, Force Investigation Group, Commanding Officer, Commander Timothy T. Nordquist, Serial No. 35492, informed Office of Operations of the above BWV issues.

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CHIEF OF POLICE REPORT³⁸

Chief of Police Findings

Tactics – Administrative Disapproval, Officer Monteagudo. Tactical Debrief, Sergeants Contreras and Ahlemeir and Officers Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar.

Drawing/Exhibiting – In Policy, No Further Action, Officers Valvaneda and Tarango.

Non-Lethal Use of Force – In Policy, No Further Action, Sergeants Contreras and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar.

Lethal Use of Force – In Policy, No Further Action, Officer Monteagudo.

Chief of Police Analysis

Detention

- Officers Monteagudo, Tarango, and Valvaneda were assigned to RESET at Central Area when they attempted to detain Prince, who was wanted for ADW. Prince fled on foot and a foot pursuit ensued resulting in an application of a CRCH by Officer Monteagudo. Officers Monteagudo, Tarango, and Valvaneda, along with Sergeant Contreras utilized non-lethal force in an attempt to detain and arrest Prince. Sergeant Ahlemeir arrived at the location. Officers Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar arrived and utilized non-lethal force to detain Prince until Prince was sedated by LAFD personnel and transported to a hospital. The detention of Prince by Sergeants Contreras and Ahlemeir, and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar were appropriate and within Department policies and procedures.

Tactics

- Department policy relative to a Tactical Debrief is: *“The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance.”*

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

³⁸ The information provided in this section summarizes the analysis and findings set forth in the Chief of Police's report for this case.

Tactical De-Escalation

- *Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.*

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)*

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

Planning – According to Officer Valvaneda, this was the first time that Officers Monteagudo, Tarango, and himself had all worked together; however, they had all worked as partners on previous occasions. While working in the RESET unit, roll call training was given on foot pursuit tactics. The officers each agreed they would have the following roles: Officer Valvaneda was the contact officer, Officer Tarango was the communications and additional cover officer, and Officer Monteagudo would be the cover officer.

Assessment – Officer Monteagudo observed Prince, who was initially not identified, who was standing near the northeast corner, who resembled a named suspect from a recent Crime Alert Bulletin and was wanted for ADW. The officers all agreed that Prince matched the photograph on their MDC of the wanted suspect. Officer Monteagudo noted that Prince had utilized bodily force by kicking the victim multiple times while the victim was on the ground; however, there was no weapon used in the crime. Officer Valvaneda assessed that Prince was going to run from them because Prince was looking back in their direction as he walked, so Officer Valvaneda warned his partners that Prince was going to run. At the termination of the foot pursuit, Officer Monteagudo observed Prince reach into his left front pocket, grip the butt of a handgun with his left hand and attempt to remove it from his pants pocket.

Officer Monteagudo identified that he was in a deadly force situation and quickly assessed his options of either shooting Prince or initiating a CRCH on Prince. In an effort to preserve Prince's life, Officer Monteagudo elected to apply a CRCH on Prince. Officer Monteagudo also assessed that Prince's body was "limp," after

applying a CRCH, and released the pressure off of Prince's carotid and repositioned himself. When they reached Officer Monteagudo's location, Officer Tarango observed Officer Valvaneda with his service pistol out and holstered her service pistol, while holding her TASER.

Sergeant Contreras assessed that he was the first back-up unit to arrive at scene, Prince's handgun was not secured, and Prince had not been handcuffed. Sergeant Contreras made an assessment of the location of the handgun and was concerned about touching the handgun in Prince's pocket in case the hammer was cocked. Sergeant Contreras stretched Prince's pants pocket out and directed Officer Pinedo to cut it, rather than reach inside Prince's pocket. Sergeant Contreras assessed that Prince was handcuffed and Sergeant Contreras went from being involved in the use of force to asserting command and control of the officers.

Sergeant Ahlemeir assessed Prince was "actively being animated and violent" and directed the officers to lay Prince back down onto the ground until the administered sedative had more time to take effect.

Time – Officer Monteagudo took time to utilize his MDC to access Central Area's online homepage, which had a link to photographs of suspects who were wanted for crimes committed in Central Area and brought up a photograph of Prince. Officers Monteagudo, Tarango, and Valvaneda confirmed Prince was similar in appearance to the suspect's photo in the Crime Alert prior to conducting a pedestrian stop on Prince.

Both LAPD and LAFD personnel monitored Prince throughout the incident and advised Prince to "relax." LAFD personnel administered sedatives to Prince twice, and officers waited for the sedatives to take effect prior to Prince's transport to the hospital to reduce the possibility of having to use additional force.

Redeployment and/or Containment – Officer Valvaneda put the police vehicle into drive and angled the police vehicle in a northwesterly direction towards the sidewalk. Officer Valvaneda attempted to align the front end of the police vehicle with Prince's position; however, Prince began walking east and fled on foot. Officer Monteagudo began pursuing Prince on foot, followed by Officers Tarango and Valvaneda.

As determined by the FID investigator, Officer Monteagudo's BWV captured Officer Monteagudo making physical contact with Prince at 0637:02 hours. At that point, Officer Tarango's BWV captured Officer Valvaneda run approximately 190 feet in 15 seconds before Officer Valvaneda made contact with Prince. Officer Monteagudo did not redeploy to seek cover and wait for Officers Tarango and Valvaneda to arrive at his location at the termination of the foot pursuit, prior to making physical contact with Prince, which resulted in an altercation.

Other Resources – Upon broadcasting they were in foot pursuit, officers and supervisors from Central Patrol Division, along with Air Support Division personnel, responded to the area to assist Officers Monteagudo, Tarango, and Valvaneda.

Officers Monteagudo, Tarango, and Valvaneda communicated among each other and waited for additional resources to arrive to assist in controlling Prince. Officer Tarango drew her TASER as a less-lethal force option and warned Prince in an attempt to de-escalate Prince and to convince him to cease his resistance. Officer Monteagudo utilized the HRD as a resource to control Prince and minimize injury to Prince and other officers.

Sergeant Contreras and Lieutenant Mylonakis requested Sergeant Ahlemeir as an additional resource to monitor the officers and Prince, so Lieutenant Mylonakis could be briefed on the incident and clarify information.

After determining that a CUOF had occurred and Prince was securely transported by LAFD personnel, Lieutenant Mylonakis directed the request of additional supervisors to the scene to assist in the separation and monitoring of the involved officers.

Lines of Communication – As the officers drove past Prince, Officer Monteagudo advised Officers Valvaneda and Tarango, “Hey, I think that's the guy we're looking for.” Officer Valvaneda warned his partners that Prince was going to run when Prince looked back in their direction as he walked eastbound. Officer Monteagudo broadcast they were “Code Six on a Code Six Charles” suspect and stated to Prince “Let me talk to you real quick.”

Officer Valvaneda broadcast that they were in foot pursuit and Prince’s descriptors. Officer Tarango communicated to Officer Valvaneda that she would take over broadcasting immediately broadcast their location and direction of travel.

During the foot pursuit, Officer Monteagudo communicated with Prince and directed Prince to “Stop right there!” Officer Monteagudo also warned Officers Tarango and Valvaneda that Prince had “a gun,” as they approached. Officers Tarango and Valvaneda ordered Prince to drop the handgun. Officer Tarango updated their foot pursuit broadcast as a “415 man with a gun!” Officers Monteagudo, Tarango, and Valvaneda communicated among each other to limit Prince’s movements until additional resources arrived.

Officer Tarango notified her partners of the location of Prince’s handgun. Sergeant Contreras acknowledged the location of Prince’s handgun and directed Officer Tarango to control Prince’s hand, so he could retrieve the handgun. Sergeant Contreras directed Officer Pinedo to cut away the inside pocket containing Prince’s handgun and directed Officer Hyshaw to secure the recovered handgun. Sergeant Contreras communicated to Prince to stop striking his head on the ground and advised Prince multiple times to “relax.” After Prince had the HRD applied and was

making guttural sounds, Sergeant Contreras directed the officers to return Prince to a seated position and to remove the spit sock from Prince's head.

Throughout the incident, officers and LAFD personnel communicated to Prince to "relax" and to stop resisting their efforts in an attempt to gain Prince's cooperation.

It was noted by the UOFRB that Officers Pinedo, Garcia, Tran, and Lieutenant Mylonakis delayed in advising Communications Division (CD) of their Code Six location upon responding to the foot pursuit. Lieutenant Mylonakis broadcast he was Code Six and declared himself as Incident Commander (IC). Lieutenant Mylonakis coordinated resources at scene by communicating direction to the on-scene supervisors.

Sergeant Contreras coordinated with Sergeant Ahlemeir to monitor the officers and Prince, so Sergeant Contreras could speak with Lieutenant Mylonakis and Officer Monteagudo. Officer Monteagudo communicated his actions to Lieutenant Mylonakis and Sergeant Contreras, advising them he had applied a CRCH and Sergeant Contreras also communicated his involvement to Lieutenant Mylonakis.

The UOFRB recognized that this was a tactically fluid situation and discussed that additional coordination and communication with the officers by Sergeants Contreras and Ahlemeir could have ensured each officer had clearly assigned roles and reduced the number of officers involved in the use of non-lethal force. The UOFRB noted the continuous efforts by officers and Sergeant Contreras throughout the incident to communicate with Prince and attempt to gain his compliance. The UOFRB also noted Officer Monteagudo's decision to utilize a CRCH as a lethal force option with the intent, as Officer Monteagudo stated, of the preservation of life. The officers did not rush and utilized time to control Prince. The Chief concurs with the UOFRB and in examining their communication efforts. The officers and sergeants were continually attempting to de-escalate a tense situation in the hopes of gaining Prince's voluntary compliance to submit to a lawful arrest.

During the review of the incident, the following Debriefing Topics were noted:

Debriefing Point No. 1 Pedestrian Stop Tactics/Tactical Vehicle Deployment
(Substantial Deviation, with Justification – Officer Valvaneda)

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

Patrol officers must select a safe and tactical position for the placement of the patrol unit (California Commission on Peace Officers Standards and Training, Learning Domain No. 22).

When stopping one or more suspect(s) using the police vehicle; position the patrol vehicle to maximize officer safety for both officers (Los Angeles Police Department, Regular Basic Course, Tactics Lesson Plan, Pedestrian Stops, Pages 7-8, February 2003).

The positioning of a police vehicle is critical in order to provide the officers a tactical advantage should the incident escalate.

Officers Monteagudo, Tarango, and Valvaneda were working a three-officer unit configuration in a marked black and white police vehicle, travelling west on 5th Street. Fifth Street is a three-lane, one-way street allowing for east to west direction of travel. Officer Monteagudo observed an individual (later identified as Prince), who resembled a wanted ADW suspect involving bodily force, on the northeast corner of the street. As they passed Prince, Officer Monteagudo informed Officers Valvaneda and Tarango of his observation and belief. Officer Valvaneda stopped the police vehicle for approximately four seconds, as determined by FID investigators, then drove in reverse as Officer Monteagudo retrieved a wanted flyer from the police vehicle's Mobile Data Computer (MDC). The police vehicle traveled in reverse, eastbound on 5th Street, for approximately 14 seconds, as determined by FID investigators, and passed Prince in reverse direction in order to verify if Prince and the wanted individual in the photograph were the same person.³⁹ Officers Monteagudo, Tarango, and Valvaneda had knowledge that the ADW involved the used bodily force and not a weapon.

Officer Valvaneda stated he made sure that there were no vehicles or pedestrians behind him as he backed the vehicle. Officer Valvaneda stopped the police vehicle in the number two lane of traffic. Prince began to walk east as Officer Valvaneda conducted a right turn, diagonal to the sidewalk, in an attempt to tactically deploy on Prince. Officer Monteagudo exited the police vehicle and initiated verbal contact with Prince as Officers Tarango and Valvaneda were exiting the police vehicle. Prince fled from the officers on foot.

In considering the circumstances with regard to this incident, the UOFRB noted the officers had already passed Prince when Officer Monteagudo alerted Officers Tarango and Valvaneda regarding his observations. The traffic flow on the street was one-way and restricted the options of travel for Officer Valvaneda. Officer Valvaneda drove slowly as he navigated the police vehicle while in reverse as the officers attempted to verify if Prince matched the photograph in the Crime Alert. The verification of the match was critical to establish the legality of the detention for the officers. The UOFRB would have preferred Officer Valvaneda had parked the police vehicle at the corner and the officers coordinated their approach on foot to verify Prince's identity. Prince began walking eastbound and the passenger side of the police vehicle was exposed and parallel to Prince, prior to Officer Valvaneda being able to place the police vehicle diagonally to the sidewalk to conduct a pedestrian

³⁹ The 14 seconds were determined by the FID investigator.

stop on Prince. This movement by Prince further complicated Officer Valvaneda's attempt to park the police vehicle in relation to Prince. The UOFRB discussed that despite Officer Valvaneda's attempts to park, the placement of the police vehicle was ineffective. The officers did not have knowledge that Prince was armed, but the vehicle placement placed the officers in a potentially vulnerable position. The UOFRB did note that Officer Monteagudo immediately exited the police vehicle, followed by Officers Tarango and Valvaneda, and attempted to initiate contact with Prince to conduct the pedestrian stop; however, Prince fled from the officers on foot.

Based on the totality of the circumstances, The Chief determined that Officer Valvaneda's actions were a substantial deviation, with justification, from approved Department tactical training. The Chief will direct that this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 2 Foot Pursuit Concepts (Separation)
(Substantial Deviation, without Justification – Officer Monteagudo)

Effective communication is essential during foot pursuits. Due to the rapidly unfolding situation, officers may not be able to include complete information in the initial broadcast. Additional information may be provided when tactically sound to do so.

Primary Officer: The officer whose primary responsibility is to focus on the threat posed and direction of travel of the suspect. The primary officer is usually the officer in front and closest to the suspect and in a position of advantage to assess any threat posed, give commands and direct the tactics of the pursuit. The role of the officer may change during the course of the foot pursuit, and the primary officer may become the secondary officer.

Secondary Officer: While the primary officer focuses on the suspect, the secondary officer focuses on the safety of the primary officer and responding personnel. The secondary officer broadcasts the location and direction of the pursuit; requests additional resources and coordinates their response and direction of travel. The role of the officer can change during the course of the foot pursuit and the secondary officer can quickly become the primary officer (Los Angeles Police Department Use of Force – Tactics Directive No. 3.2, Foot Pursuit Concepts, October 2013).

Separation (Split Up): Separation occurs whenever the distance between the two officers is so great that one cannot render aid to the other when confronted by the suspect or barriers exist that would unreasonably delay the partner officer from being able to render aid.

Apprehension versus Containment: There are two pursuit modes officers may use when a suspect flees on foot, apprehension mode or containment mode. Some factors that will influence an officer's decision to operate in the apprehension or

containment mode are the suspect's actions, officer's experience, training, physical fitness level, location and available resources.

Foot Pursuit: When officers are deployed three in a unit, all Department operational rules and tactical guidelines remain in effect as they would for a two-person unit, such as avoiding separation (splitting up) between officers, maintaining adequate communication between officers, and preserving the ability for all officers in the unit to render aid to each other. Officers that are deployed three in a unit shall be held accountable to these tactical guidelines. A three-officer unit involved in a foot pursuit should follow the same tactical concepts as a two-officer unit. Additionally, having a third officer in the unit does not change the tactical consideration of requesting back-up or help, or consideration of containment versus apprehension modes. The police vehicle should not be used to participate in the foot pursuit by attempting to outflank the suspect or otherwise cut off his/her avenue of escape (Los Angeles Police Department Training Bulletin – Three-Officer Unit Tactics, Volume XLVI Issue 1, May 2017).

Officers Valvaneda (driver), Monteagudo (front passenger), and Tarango (left rear passenger) were working a three-officer unit configuration in a marked black and white police vehicle, travelling west on 5th Street. Officer Tarango was assigned communications while Officer Valvaneda was assigned as cover officer in their prior planning as a three-officer unit. Officer Valvaneda stated it was the first time that all three officers worked together; however, they had all worked as partners on previous occasions and roll call training was given on foot pursuit tactics. As officers attempted to conduct a pedestrian stop on Prince, who they believed matched the photograph of an ADW suspect involving bodily force, Officer Monteagudo broadcast their stop and location. In response, Prince fled on foot, resulting in a foot pursuit.

According to Officer Monteagudo, he ran offset of Prince, closer to the sidewalk as Prince ran in the middle of the street. Due to Prince being wanted for an ADW involving bodily force and there was no weapon involved, Officer Monteagudo's goal of the foot pursuit was to apprehend Prince. Officer Monteagudo could hear Officers Tarango and Valvaneda broadcasting the foot pursuit and believed Officers Tarango and Valvaneda were behind him.

Note: As determined by the FID investigator, Officer Monteagudo's BWV captured Officer Monteagudo making physical contact with Prince at 0637:02 hours. At that point, Officer Tarango's BWV captured Officer Valvaneda run approximately 190 feet in 15 seconds before Officer Valvaneda made contact with Prince.

As the driver officer, Officer Valvaneda placed the car in park, removed the keys from the ignition, and he and Officer Tarango also gave chase on foot, with Officer Valvaneda in front of Officer Tarango. Officer Valvaneda did not close the police vehicle door and engage the locks, prior to becoming involved in a foot pursuit as a three-officer unit. After the termination of the foot pursuit, Officer Valvaneda

directed responding units to secure his police vehicle at 5th Street and Wall Street. Officers Valvaneda and Tarango were both unaware that Prince was armed during the foot pursuit and had knowledge that the ADW involved bodily force; therefore, both officers indicated their intention was to apprehend Prince.

Officers Tarango and Valvaneda initially broadcast the foot pursuit simultaneously, as Officer Valvaneda. Officer Tarango became aware of the simultaneous broadcasts and corrected the issue by communicating with Officer Valvaneda that she would broadcast. Officer Tarango then broadcast "1FB21, we're still eastbound 5th Street, approaching San Pedro." Officer Tarango also broadcast "It's a 415 man with a gun," when the foot pursuit had terminated, and they were attempting to detain Prince; however, Officer Tarango did not include the location for responding units or the Air Unit. As they neared 521 South San Pedro Street, Officer Monteagudo ordered Prince to stop. Prince looked back at Officer Monteagudo, tripped, and fell forward onto the ground.

In this case, the UOFRB noted the officers' coordination and communication throughout the foot pursuit and adherence to Department training and policy. When Officers Tarango recognized that both she and Officer Valvaneda were broadcasting simultaneously, she corrected the issue by communicating to Officer Valvaneda that she would broadcast to allow Officer Valvaneda to remain with Officer Monteagudo in the foot pursuit. Officer Tarango effectively broadcast their updated location and direction of travel as the foot pursuit continued. Officer Tarango broadcast to responding officers that Prince was armed with a handgun, although, the UOFRB would have preferred Officer Tarango had included an updated location as well. In addition, the UOFRB would have preferred that as a three-officer unit, Officer Valvaneda had taken a moment to secure their police vehicle prior to joining the foot pursuit. While this incident unfolded quickly, the unsecured police vehicle could have resulted in equipment being taken by a passerby. The UOFRB discussed that while coordination can become complicated when officers work a three-officer unit, Officers Monteagudo, Tarango, and Valvaneda specified their roles, which was notable as this was these officers' first time working together as three-officer unit as opposed to a two-officer unit.

In deciding to pursue Prince in apprehension mode, the UOFRB discussed all three officers' knowledge of Prince having committed an ADW utilizing bodily force and that no weapon had been involved in that previous incident. Furthermore, Prince's actions did not suggest to officers that he was armed with a handgun until after Prince fell down to the ground and Officer Monteagudo had made physical contact with Prince. Upon observing Prince attempting to remove a handgun from a sewn pocket inside his pants, Officer Monteagudo immediately alerted Officer's Tarango and Valvaneda. The UOFRB considered Officers Tarango and Valvaneda's ability to render aid to Officer Monteagudo during the foot pursuit and noted the officers' distance did not impede their ability to assist Officer Monteagudo. Officers Tarango and Valvaneda were able to support Officer Monteagudo in securing Prince and preventing Prince from removing his handgun.

In reflecting upon the UOFRB's discussion with regard to the distance between Officer Monteagudo and his partners, the Chief considered the facts and circumstances surrounding the foot pursuit. Officers Tarango and Valvaneda momentarily lost sight of Officer Monteagudo. When Officers Tarango and Valvaneda turned the corner, Officer Monteagudo was a considerable distance away and already involved in an altercation with Prince. In this case, as the lead officer in a foot pursuit and in the concept of working as a team, it was Officer Monteagudo's responsibility to have slowed his pace, waited for his partners, and sought cover, until his partners were close enough to render him immediate aid.

Based on the totality of the circumstances, The Chief determined that Officer Monteagudo's actions were a substantial deviation, without justification, from approved Department tactical training. However, in an effort to enhance future performance, the Chief will direct that this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 3 Code Six

When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.

Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances which will make the unit unavailable for assignment to a priority call. These circumstances may include:

- *Suspect in custody;*
- *Primary unit at a crime scene; and/or,*
- *Required at a backup, assistance, or help location.*

Note: *The unit shall notify the dispatcher as soon as it is again available for radio calls (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

Officers Pinedo, Garcia, Tran, and Lieutenant Mylonakis delayed in advising Communications Division (CD) of their Code Six location upon responding to the foot pursuit. The FID investigation revealed that Officer Garcia broadcast his unit was Code Six over the radio approximately seven minutes after arriving at scene. Officer Pinedo broadcast her unit was Code Six over the radio approximately 18 minutes after arriving at scene. Officer Tran broadcast his unit was Code Six over the radio approximately 19 minutes after arriving at scene. Lieutenant Mylonakis broadcast he was Code Six and declared himself as Incident Commander (IC) after being at scene approximately 12 minutes.

The purpose of broadcasting a Code Six location is to advise CD and officers in the area of their location and the nature of the field investigation, should the incident escalate and necessitate the response of additional personnel.

In this case, the UOFRB considered the Department's Code Six policy and noted several resources were enroute to the location due to the broadcast of a foot pursuit by the primary unit. The broadcast of the primary unit had initiated the response of multiple additional resources. The UOFRB also considered that Officers Pinedo and Garcia were initially involved in the non-lethal use of force, followed by Officer Tran. Once Prince was secured and the scene was contained, the Officers Pinedo, Garcia, Tran, and Lieutenant Mylonakis broadcast their Code Six location to CD as soon as it was practicable and without further delay. The delay in their Code Six broadcast did not jeopardize the safety of any persons as the primary unit had already broadcast the Code Six location and additional resources arrived at the correct location.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that in this situation, Officers Pinedo, Garcia, Tran, and Lieutenant Mylonakis' actions were not a deviation from approved Department tactical training. However, in an effort to enhance future performance, the Chief will direct that this be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 4 Hobble Restraint Device Protocols⁴⁰

(Substantial Deviation, with Justification – Sergeants Ahlemeir and Contreras, Officers Monteagudo, Tarango, Valvaneda, Brady, Tran, Morales, and Aguilar)

Once the HRD is secured, officers shall immediately search the waistband area and then immediately place the individual in an upright, seated position or on his or her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on his/her right side is an acceptable substitute (Los Angeles Police Department Use of Force – Tactics Directive No. 2.2, Hobble Restraint Device – November 2017).

Violent Suspect: *If body weight is used to gain control of an individual, officers should only apply direct weight to the suspect's back for as long as reasonable to control and secure the individual. Once the HRD is secured, officers shall immediately search the waistband area and then immediately place the individual in an upright, seated position or on his or her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on his/her right side is an acceptable substitute. This minimizes the time the suspect spends on his/her stomach after being restrained.*

If the individual continues to act violently or aggressively towards the officers, one officer should use physical force to hold the person in the approved positions,

⁴⁰ Los Angeles Police Department, Use of Force-Tactics Directive, Hobble Restraint Device, November 2017.

described above, while the partner maintains control of the HRD's strap. The HRD shall not be used to bind the suspect's hands and feet together in any manner (Los Angeles Police Department Use of Force – Tactics Directive No. 2.2, Hobble Restraint Device – November 2017).

Medical Treatment: Officers should monitor the individual for signs of medical distress. Generally, the passenger/cover officer is responsible for monitoring the individual's condition and shall request a rescue ambulance if the individual shows signs of medical distress, such as unconsciousness or has difficulty breathing (Los Angeles Police Department Use of Force – Tactics Directive No. 2.2, Hobble Restraint Device – November 2017).

Due to Prince's behavior and resistance to officers, an HRD was applied to Prince's ankles by Officer Monteagudo, who secured the HRD in place by tying a knot, where it remained throughout the entirety of the incident. Prince continued to resist officers' efforts to control him and Prince was placed on his left side in a recovery position, with his hands handcuffed behind his back. While officers held Prince in the left lateral position, Prince repeatedly moved his head back and forth toward the pavement. Sergeant Contreras ordered Prince to stop striking his head on the ground; however, Prince stated, "I don't want to live anymore." and continued to move his head. Officer Tarango placed her boot between Prince's head and the asphalt in an effort to shield Prince from injury. Prince told Officer Tarango to move her foot and repeated, "I got to kill myself." While Officer Tarango's boot remained under Prince's head, Prince attempted to bite Officer Tarango's boot and Officer Tarango ordered Prince to stop. Officer Garcia placed a spit sock over Prince's head due to Prince attempting to bite Officer Tarango and had spit blood at officers previously; however, Prince began to bite the spit mask, preventing Officer Garcia from pulling it down further. Officer Monteagudo gave the strap of the HRD to Officer Aguilar who maintained control of it.

At the direction of Lieutenant Mylonakis and Sergeant Contreras, Sergeant Ahlemeir began to monitor the actions of Prince and the officers. Prince continued to lay in a left side recovery position while Officer Tarango maintained a grip of Prince's sweatshirt near his right shoulder. Officer Valvaneda maintained a grip of Prince's right arm and removed his right knee from Prince's right hip. Officer Morales applied bodyweight with his knees on Prince's right hip and leg, while applying bodyweight with his right hand to Prince's lower right leg. Officer Aguilar continued to hold the strap of the HRD.

LAFD Firefighter Gehr asked Prince if Prince had used narcotics and Prince denied using any. Prince then stated, "I can't breathe. I'm going to die." Prince began to repeatedly yell that he could not breathe as LAFD personnel monitored him. Firefighter Gehr told Prince that if he could talk, he could breathe. Firefighter Gehr informed Prince that they were going to administer medicine to him that would help him relax and make him sleepy. Prince continually plead for the spit sock to be removed.

Officer Valvaneda summoned Officers Brady and Tran to assist in controlling Prince, so that Officer Valvaneda could go speak with Sergeant Contreras. As Officers Brady and Tran approached Prince to assist the other officers, Officer Brady's BWV captured Prince in a prone position while the HRD was still applied to his legs. Officer Morales continued to maintain his knees on Prince's legs applying bodyweight and used his closed right fist to apply bodyweight to Prince's right arm. Officer Tarango gripped Prince's right arm with her right hand and gripped his sweatshirt near his right shoulder with her left hand. Officer Aguilar maintained control of Prince's feet.

The FID investigation determined that Prince had the HRD applied for a total of approximately 11 minutes and 26 seconds, beginning with the successful application of the (HRD) to the point where Prince was being lifted and placed onto an awaiting gurney.⁴¹ The FID investigation noted Prince was observed on Officer Brady's BWV between approximately 2348:37 hours and approximately 2349:23 hours, lying in a prone position, with the HRD applied to his legs (a total time of approximately 46 seconds). At approximately 2348:46 hours, LAFD RA No. 209 with Firefighter/Paramedics R. George and A. Gano, arrived at scene.

However, the UOFRB noted that in Officer Tarango's BWV, Officer Tarango was lifting Prince from a prone position by his right shoulder, relieving the pressure off of Prince's chest area.

Prince repeatedly stated that he did not consent to being administered any medicine. Prince called out for help multiple times and yelled, "I can't breathe!" Officers Brady and Tarango each grab Prince's sweatshirt, near his right shoulder and upper right arm, and position Prince in a left lateral recovery position. Officer Tran then relieved Officer Tarango and obtained a grip on Prince's sweatshirt near his right shoulder with his right hand.

Sergeant Contreras, who had resumed monitoring Prince along with Sergeant Ahlemeir, directed Officers Brady and Tran to place Prince into a seated position. Officer Aguilar continued to hold onto the HRD strap as Officers Tran and Brady rolled Prince to his right and placed him into a seated position where Prince was administered a sedative and both Officer Tran and LAFD personnel attempted to adjust Prince's spit sock; however, Prince kept biting the spit sock, continued to state he could not breathe, and resisted the Officers Tran and Brady, causing them to take a step back. Prince was laid onto his right side where LAFD personnel administered a second sedative. Prince was returned to a seated position where the spit sock was removed, and Prince was lifted onto an awaiting gurney for transport to the hospital.

In this case, the UOFRB considered that both officers and LAFD personnel were monitoring Prince while Prince had the HRD applied and attempted to de-escalate

⁴¹ According to the FID investigation, Prince had no prior Mental Evaluation Unit (MEU) contacts.

by advising Prince to relax. Prince was able to yell while in the prone position. Sergeant Contreras articulated his awareness of the importance of monitoring Prince in the spit sock after Prince made remarks about being suicidal and began to eat the spit sock, which could cause choking. The officers and supervisors demonstrated an awareness Prince's position by directing and placing Prince on his left side. In addition, as officers attempted to place Prince in a seated position, Prince's continued resistance made it problematic for the officers. The UOFRB also noted that Officer Tarango prevented Prince from being fully prone by lifting Prince's shoulder off the ground. The UOFRB also noted that even when placed in a seated position or on the left side, Prince continued to complain he could not breathe. Prince continuously moved and made attempts to resist the officers' control.

Based on the totality of the circumstances, The Chief determined that Sergeants Ahlemeir and Contreras', Officers Monteagudo, Tarango, Valvaneda, Brady, Tran, Morales, and Aguilar's actions were a substantial deviation, with justification, from approved Department tactical training. The Chief will direct that this be a topic of discussion during the Tactical Debrief.

Additional Tactical Debrief Topics

- **Situational Awareness (Service Pistol Muzzle Against Surface)** – The investigation revealed Officer Valvaneda placed the muzzle of his service pistol against Prince's left torso. Officer Valvaneda is reminded that should the need have come that he would have had to utilize deadly force, the pressing of a service pistol against a surface may move the slide of a semi-automatic handgun out of battery, rendering it unable to fire. The pressing against a surface can also interfere with the cycling of the slide and may only allow the discharging of a single round before experiencing a malfunction. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Situational Awareness (TASER)** – The investigation revealed Officer Tarango pressed her TASER against Prince's abdomen. Officer Tarango is reminded that pressing a TASER against a surface may interfere with the clearing of the blast doors of the TASER cartridge. TASERS should be activated at least two inches away from its intended target. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Initiating Physical Contact While Holding a Service Pistol** – The investigation revealed Officer Valvaneda utilized his left hand to grip Prince's left wrist and controlled Prince's left arm while Officer Valvaneda held his service pistol in his right hand. Although in this case Prince was being controlled by an additional officer, Officer Valvaneda is reminded of the safety issues and tactical disadvantages which come with the holding of his service pistol in one hand and initiating physical contact with the other hand. Doing so allows for the possibility of an unintended discharge or disarmament by a suspect. The Chief will direct that this be a topic of discussion during the Tactical Debrief.

- **Basic Firearm Safety Rules** – The investigation revealed Officer Valvaneda momentarily covered his left arm and his partner, Officer Tarango, as Officer Valvaneda repositioned the muzzle of his service pistol on Prince's torso. Officer Valvaneda is reminded to adhere to the Basic Firearm Safety Rules and to always be cognizant of his muzzle direction. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Holding of Service Pistol in One Hand and Additional Force Option in the Other** – The investigation revealed Officer Tarango held her service pistol in her right hand and her TASER in her left hand while running towards Officer Monteagudo. Officer Tarango is reminded of the safety issues and tactical disadvantages which come with the holding of her service pistol in one hand and an additional force option in the other hand. Doing so allows for the possibility of an unintended discharge or disarmament by a suspect. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Initiating Physical Contact While Holding a TASER** – The investigation revealed Officer Tarango grabbed the fabric of Prince's sweatshirt with her right hand to expose Prince's waistband area, while holding the TASER in her left hand. Officer Valvaneda is reminded of the safety issues and tactical disadvantages which come with the holding of her TASER in one hand and initiating contact with the other hand. Doing so allows for the possibility of an unintended discharge or disarmament by a suspect. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Maintaining Control of Equipment (TASER)** – The investigation revealed Officer Tarango placed her TASER on the ground between her left leg and Prince's left leg in order to grab hold of Prince's left arm. Officer Tarango is reminded of the importance of securing her equipment so it can be readily available as a less lethal force option and to prevent the equipment from becoming a hazard or utilized as a weapon by others. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Utilizing Tool on Unsecured Suspect** – Sergeant Contreras directed Officer Pinedo to cut Prince's pants pocket utilizing her knife while Prince was not handcuffed. Sergeant Contreras is reminded of the importance of not introducing an item that could be utilized against Department personnel and may inflict injury to not only Department personnel, but also injury to an unhandcuffed and not completely secured suspect. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Search of Arrestees** – The investigation revealed Officer Tarango searched Prince's rear waistband, the back of his legs, and his buttocks area after Prince had been handcuffed while other male officers were nearby. Officers are reminded that barring exigent circumstances, it is preferable that an officer of the same gender

conduct physical searches of subjects or suspects. The Chief will direct that this be a topic of discussion during the Tactical Debrief.

- **Maintaining Control of Suspects** – Officers Tarango and Valvaneda placed Prince in a seated position, leaning Prince against each of their legs. After Prince was placed in a seated position, Prince slid off the legs of Officers Valvaneda and Tarango onto the ground. Officer Tarango and Valvaneda then placed Prince in a left lateral recovery position. Although in this case Prince continued to move, Officers Tarango and Valvaneda are reminded of the importance of safeguarding individuals who are in their care and custody to reduce the incidence of injury. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Medical Treatment** – Sergeant Contreras did not advise the RA unit that a CRCH was utilized on Prince. Although in this case the personnel from LAFD cared for Prince, Sergeant Contreras is reminded to advise medical personnel of any injury or possible injury a suspect may be suffering from to ensure an individual receives appropriate medical treatment. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Spit Sock Protocols (Positioning)** – Officer Garcia placed a spit sock over Prince's head. Prince was spitting blood and attempting to bite Officer Tarango. As Officer Garcia placed the spit sock over Prince's head, Prince began to bite the spit sock, stopping its placement near his mouth and preventing Officer Garcia from pulling it down further. Although in this case Prince resisted the officer's effort to place the spit sock in the proper position, Officer Garcia is reminded of the importance of the proper application of the spit sock to minimize the risk to officers and the suspect. Improper placement of the spit sock could allow the suspect to continue to spit on the officers. The Chief will direct that this be a topic of discussion during the Tactical Debrief.
- **Stepping on Limbs** – The FID investigation identified that Officer Ramirez utilized his right foot to step on Prince's feet to limit Prince's movements. Officer Ramirez is reminded that stepping on a suspect's limb can cause an officer to become off balance and may reflect unfavorably in the public's perception when doing so. The Chief will direct that this be a topic of discussion during the Tactical Debrief.

Command and Control

- *Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.*

Command and Control is a process where designated personnel use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct personnel and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, July 2018).

Line Supervision – Defined. A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues (Los Angeles Police Department Manual, Volume 3, Section 135).

Incident Commander (IC) – In accordance with Department Policy, the IC sets the objectives, the strategy and directs the tactical response. Directing the tactical response means applying tactics appropriate to the strategy, assigning the right resources and monitoring performance (Los Angeles Police Department, Supervisor's Field Operations Guide, Volume 2, Emergency Operations Guide).

Sergeant Contreras responded to the foot pursuit broadcast. Sergeant Contreras became involved in the non-lethal portion of the UOF and directed portions of the non-lethal UOF. According to Sergeant Contreras, he did not immediately assume command and control because he was the first back-up unit to arrive at scene, the handgun was not secured, and Prince had not been handcuffed. As additional resources arrived, Sergeant Contreras directed Officer Pinedo to cut Prince's pants pocket that contained the handgun. Sergeant Contreras recovered and returned Officer Tarango's TASER to her after Prince was handcuffed and placed into a seated position. Sergeant Contreras gave Prince's handgun, which was still wrapped in the fabric pocket, to Officer Hyshaw and directed her to secure it. According to Sergeant Contreras, once Prince was handcuffed, Sergeant Contreras transitioned from being involved in the use of force to asserting command and control of the officers. Officer Monteagudo informed Sergeant Contreras he had applied a CRCH on Prince. Sergeant Contreras stated his intent was to finish dealing with the ongoing incident and requested a Rescue Ambulance (RA) for Prince because Prince was bleeding from the mouth and a CRCH had been applied on Prince. Sergeant Contreras directed Officer Garcia to remove himself from Prince. Sergeant Contreras re-inserted himself into the use of force by gripping Prince's right arm. Sergeant Contreras attempted to de-escalate by communicating with Prince by advising Prince to relax and directed officers to place Prince into a seated position after Prince had the HRD applied.

Sergeant Contreras met with Lieutenant Mylonakis and informed him he was involved in the use of force. While Sergeant Ahlemeir took over monitoring the actions of Prince and the officers. Officer Monteagudo briefed both Sergeant Contreras and Lieutenant Mylonakis about the incident. Sergeant Contreras asked a few clarifying questions and confirmed that Officer Monteagudo had in fact applied a CRCH. Sergeant Contreras met with Officers Monteagudo, Valvaneda, and Tarango and advised them they were going to be separated after Prince was transported by RA. Sergeant Contreras also advised those officers not to converse. Sergeant Contreras resumed monitoring Prince and continued to provide direction until Prince was transported. Sergeant Contreras opened the trunk of his police vehicle, picked up the clear plastic property bag containing the handgun, and ensured the handgun had been properly rendered safe. Sergeant Contreras stated he did not physically handle the handgun and that Sergeant Cook was present at the time; however, Sergeant Contreras was aware that the incident had been deemed a CUOF at the time he inspected Prince's handgun.

The UOFRB considered that Sergeant Contreras was one of the first units to arrive, and upon being notified about outstanding weapon, was not remiss in prioritizing and addressing the outstanding handgun. It was prudent of Sergeant Contreras to immediately assist Officers Monteagudo, Tarango, and Valvaneda until the weapon was removed and additional resources had arrived. Once the additional resources arrived and it was determined that this incident was a CUOF, the UOFRB would have preferred Sergeant Contreras relinquished his physical involvement and made additional efforts to manage the officers involved in the non-lethal use of force with Prince. By doing so, Sergeant Contreras could have taken on more of a role managing personnel at scene with respect to identifying the involved officers which would have assisted with the monitoring and separation of personnel. The UOFRB noted Sergeant Contreras' assessment and request for the RA; however, would have preferred Sergeant Contreras had advised the RA that a CRCH had been applied. The UOFRB also noted that Sergeant Contreras, while knowing the incident was a CUOF, visually inspected the condition of Prince's handgun after it was secured in the trunk of his police vehicle. Conversely, Sergeant Contreras' experience in the Skid Row area, and active leadership during the incident was apparent in his awareness of Prince's behavior requiring two doses of sedatives, and his monitoring of the officers and Prince after Prince's attempt to chew the spit sock as Prince made suicidal remarks, and his directions to officers physically engaged with Prince.

While there were areas of improvement, the actions of Sergeant Contreras were overall consistent with Department supervisory training and the Chief's expectations of field supervisors during a critical incident.

Sergeant Ahlemeir monitored the actions of Prince and the officers when Lieutenant Mylonakis met with Sergeant Contreras and Officer Monteagudo. Sergeant Ahlemeir recalled Prince twisting or kicking while in a seated position and directed

officers to lay Prince back down onto the ground until Prince calmed down and the sedative had taken effect. Sergeant Ahlemeir followed Officers Vasquez, Sosa, Flores, and Castellanos with the RA who transported Prince to the hospital until relieved by FID investigators.

Although Sergeant Ahlemeir provided supervisory oversight to the officers, the UOFRB would have preferred Sergeant Ahlemeir take a more active role in assisting Sergeant Contreras with command and control responsibilities and in the monitoring of Prince.

The actions of Sergeant Ahlemeir were overall consistent with Department supervisory training and the Chief's expectations of field supervisors during a critical incident.

Lieutenant Mylonakis arrived at scene and declared himself as IC. Lieutenant Mylonakis learned that Sergeant Contreras was involved in the use of force and was briefed by Officer Monteagudo about the incident involving a CRCH. Lieutenant Mylonakis identified the officers at scene who were involved in the use of force with Prince and coordinated uninvolved officers to accompany Prince to the hospital, along with Sergeant Ahlemeir. According to Lieutenant Mylonakis, due to a lack of available supervisors, he gathered some of the identified involved officers, along with Sergeant Contreras, and admonished them as a group not to discuss the incident. Lieutenant Mylonakis gave Officer Monteagudo a modified Public Safety Statement (PSS). Lieutenant Mylonakis then directed a request for additional supervisors from outside patrol divisions to assist with the monitoring duties.

Although there were some minor concerns identified with respect to the separation and monitoring of officers at scene, the UOFRB noted Lieutenant Mylonakis' response and overall active management of personnel, resources, and directions at the scene.

The actions of Lieutenant Mylonakis were overall consistent with Department supervisory training and the Chief's expectations of field supervisors during a critical incident.

The following supervisors responded to the incident and were also involved in the separation and monitoring of the identified involved personnel:

Sergeant Cook monitored the officers on the skirmish line at the scene of this incident.

Sergeant Cook monitored Officers Pinedo and Park until he transferred that responsibility to Sergeant Gaxiola.

Sergeant Gaxiola arrived at scene, began monitoring Officers Pinedo and transported those officers to Central Community Police Station (CPS). Sergeant

Gaxiola later monitored Officer Park. Sergeant Gaxiola and Captain McGuyre transported Officers Tarango, Valvaneda, Ramirez, Garcia, Morales, and Sergeant Contreras to Police Headquarters Facility (PHF). Sergeant Gaxiola simultaneously monitored Officer Park and relieved Sergeant Nunez of monitoring responsibility for Officers Tarango, Aguilar, Valvaneda, Brady, Tran, Garcia, Ramirez, Morales, and Sergeant Contreras. Sergeant Gaxiola transferred monitoring responsibility of Officers Tarango, Valvaneda, Ramirez, Morales, Garcia, and Sergeant Contreras to Sergeant Thomas III, Serial No. 34998, Central Patrol Division.

Sergeant Thomas III assumed monitoring responsibilities from Sergeant Gaxiola; however, Sergeant Thomas III did not list the officers he monitored in his Sergeant's Daily Report.

Sergeant Nunez assumed monitoring duties of Officers Tarango, Aguilar, and Valvaneda from Sergeant Cook.

Detective II Lake monitored Officer Monteagudo and transferred monitoring responsibility of Officer Monteagudo to Sergeant Briggs.

Sergeant Briggs assumed monitoring duties of Officer Monteagudo from Detective II Lake.

The actions of Captain McGuyre, and Sergeants Cook, Gaxiola, Nunez, Briggs, Thomas III, and Detective Lake were overall consistent with Department supervisory training and the Chief's expectations of supervisors during a critical incident.

Tactical Debrief

- In conducting an objective assessment of this case, the UOFRB determined, and the Chief concurred, that Sergeants Contreras and Ahlemeir, along with Officers Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar's tactics did not deviate from approved Department tactical training; however, Officer Monteagudo's tactics did substantially deviate, without justification, from approved Department tactical training.⁴²

Each tactical incident also merits a comprehensive debriefing. In this case, there were areas identified where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Although not identified as substantially involved, the UOFRB determined, and the Chief concurred, that Lieutenant Mylonakis could also benefit from attending the Tactical Debrief.

⁴² On February 23, 2021, the Chief of Police issued a supplemental report correcting the language used in this paragraph.

Therefore, the Chief will direct that Lieutenant Mylonakis, Sergeants Contreras and Ahlemeir, and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar attend a Tactical Debrief and that the specific identified topics be discussed.

Note: Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Tactical Planning;
- Radio and Tactical Communication (including Code Six);
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

General Training Update (GTU)

- Officer Monteagudo attended a GTU on April 23, 2020. All mandatory topics were covered including Force Options Simulator.

Drawing/Exhibiting

- Department policy relative to drawing and exhibiting a firearm is: *“An officer’s decision to draw or exhibit a firearm should be based on the tactical situation and the officer’s reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified” (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).*

Officer Tarango

According to Officer Tarango, as she approached Officer Monteagudo and Prince, she observed Prince actively resisting and fighting with Officer Monteagudo. Officer Tarango heard Officer Monteagudo state, “He’s got a gun. He’s got a gun,” referring to Prince. While Officer Tarango did not observe Prince’s handgun, she believed Officer Monteagudo was in danger based on his statement of Prince being in possession of a handgun. Officer Tarango drew her service pistol for approximately “two seconds” and held it in one hand while trying to “holster” her police radio. Officer Tarango then utilized both of her hands to hold her service pistol. Officer Tarango holstered her service pistol because she observed Officer Valvaneda with his service pistol drawn and did not want to cover Officer Valvaneda with her service pistol. After holstering her service pistol, Officer Tarango drew her TASER to provide a less-lethal force option in order to de-escalate the situation if possible.

Note: According to Officer Tarango, she drew her TASER after holstering her service pistol; however, FID investigators review of

Officer Tarango's BWV captured her holding her TASER in her left hand and, moments later, captured her holding her service pistol in her right hand, while running towards Officer Monteagudo.

Officer Tarango recalled,

Officer Monteagudo was trying to take him into custody, and the suspect was putting up a fight or resisting. I advised our last known location. And as I was approaching Officer Monteagudo, I heard him say, "He's got a gun. He's got a gun." So, at that point in time, as I approached them, I believed that my partner's safety -- my partner may be in -- his safety may be in danger, you know, based on the suspect having a firearm, and we didn't know where it was. So, I unholstered. But I saw that my partner, Officer Valvaneda unholstered. I also didn't want to put him -- cover him with my -- my weapon, so I holstered up and took out my taser. So, we have lethal and less lethal in hopes to communicate with the suspect. So, I approached, and I was facing -- I was -- I believe I was to the left of the suspect and Monteagudo. And Officer Valvaneda went to the right of me. I unholstered, and I -- I unholstered quickly, and then I holstered back up, because I saw that my partner was already unholstered with the suspect, and I also didn't want to put them in the cover of my firearm. On the side. On the frame. At the ground. It was -- it was kind of at the ground, because the suspect was on the ground and his hands were the ground. That's -- and that's where we were told the -- the firearm was. I believe I had it with one hand, because I was trying to holster my radio. At the same time as I was unholstering. But once I holstered the radio, I grabbed it with two hands, and then I holstered it up. And I reached for my taser. Maybe two seconds.⁴³

Officer Valvaneda

According to Officer Valvaneda, as he was running towards Officer Monteagudo and Prince, he heard Officer Monteagudo yell multiple times that Prince had a handgun. Officer Valvaneda believed that Prince was armed, and that Prince could potentially "injure or kill" Officers Monteagudo and Tarango, or himself. Officer Valvaneda, believing that the situation may escalate to the point where he "may have to shoot" to save the lives of Officers Monteagudo and Tarango or himself, drew his service pistol. After drawing his service pistol, Officer Valvaneda placed his service pistol in "close contact" against Prince's torso.

Officer Valvaneda recalled,

So, as I'm running towards him, I hear that -- he yells to me that the suspect has a gun. And he tells -- he yells it multiple times. I drew my -- at that time I drew my weapon believing that the suspect was armed and was possibly going to -- you know, could cause my partner's, you know, injury or kill him or could -- or could hurt -

⁴³ Officer Tarango: Page 24, Lines 7 – 25 and Page 25, Lines 1 – 16.

- hurt myself or my partner behind me. I drew my weapon. And as I came up on the suspect, I put it on his -- I went close contact, and I put it up on his torso.⁴⁴

So as soon as my partner told me that he had a gun, I drew my weapon, and I put my pistol up onto his -- his torso.⁴⁵

Well, I mean, we know that guns kill, and it can kill. So, in my mind, I'm thinking he's going to try to shoot my partner. And this is probably going to escalate to the point where I may have to shoot in order to save my partner's life or save my life or my partner behind me.⁴⁶

The UOFRB conducted a detailed evaluation of the reasonableness of Officers Valvaneda and Tarango's Drawing/Exhibiting of their service pistols. The UOFRB considered that Officer Valvaneda and Tarango heard Officer Monteagudo warn that Prince was armed with a handgun. Upon observing Officer Valvaneda with his service pistol drawn, Officer Tarango demonstrated restraint by holstering her service pistol and assuming the role of less-lethal (TASER), noting the importance of deploying a less-lethal option. Officer Valvaneda was conscious of Officer Tarango's position and placed his service pistol in a downward angle, in close contact to Prince.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officers Valvaneda and Tarango, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, the Chief finds Officers Valvaneda and Tarango's Drawing/Exhibiting to be In-Policy, No Further Action.

Policy on the Use of Force

- **Use of De-Escalation Techniques⁴⁷**

It is the policy of this Department that, whenever practicable, officers shall use techniques and tools consistent with Department de-escalation training to reduce the intensity of any encounter with a suspect and enable an officer to have additional

⁴⁴ Officer Valvaneda's 1st Interview: Page 8, Lines 18 – 25, Page 9, Lines 1 – 2.

⁴⁵ Officer Valvaneda's 1st Interview: Page 41, Lines 23 – 25.

⁴⁶ Officer Valvaneda's 1st Interview: Page 43, Lines 12 – 20.

⁴⁷ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

options to mitigate the need to use a higher level of force while maintaining control of the situation.

Factors Used to Determine Objective Reasonableness⁴⁸

The Department examines reasonableness using Graham v. Connor and the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience, in the same situation, based on the totality of the circumstances.

In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:

- *The feasibility of using de-escalation tactics;*
- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*
- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances.*

Use of Force – Non-Deadly⁴⁹

- *It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:*
 - *Defend themselves;*
 - *Defend others;*

⁴⁸ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

⁴⁹ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

- *Effect an arrest or detention;*
- *Prevent escape; or,*
- *Overcome resistance.*

Officer Monteagudo – (3) Firm Grip, (2) Physical Force, and (2) Bodyweight

According to the FID investigation, as captured through surveillance video, Officer Monteagudo grabbed Prince's left shoulder with his left hand and Prince's upper right arm with his right hand (**Firm Grip 1-2**).

Officer Monteagudo recalled,

So, I come down, kind of glide to kind of go into a full mount.⁵⁰

According to Officer Monteagudo, as he observed Prince attempting to remove a handgun with his left hand from his left pants pocket area, Officer Monteagudo utilized his left leg to trap Prince's arm (**Physical Force 1**) to prevent Prince from removing the handgun.

Officer Monteagudo recalled,

I saw the gun right away. As I see the muzzle trying to come out of his pants, three things came into mind at that point: was -- this is a deadly lethal situation. Either I do a head shot on him right now or I do a glide, full mount, do a carotid. And if I feel -- trapped his arm with my left leg and he -- I feel a leg coming out, then do a close contact shot to the head, and hopefully, the carotid would just force a -- to prevent from -- you know, my main thing was trying to go with the preservation of life route as much as possible, obviously.⁵¹

According to Officer Monteagudo, Prince continued to "pick up" and "push off" officers. Officer Monteagudo placed his left hand on Prince's shoulder and his right hand on Prince's head as he was "basing out" to control Prince's movement and counter Prince's resistance (**Bodyweight 1**). Upon hearing, "Code Four, he's in custody," being broadcast he removed himself from Prince and took a few steps back to catch his breath.

So, I -- he's trying to pick up or trying to -- trying to push off, so I grab the right side of his face, and I -- with my right hand, and I pin his left side of the face to the ground to prevent him from moving (bodyweight). At that point -- at some point there's a code four put out, he's in custody. I -- I let him go, and I kind of step back, catch my breath.⁵²

⁵⁰ Officer Monteagudo Page 12, Lines 9 – 10.

⁵¹ Officer Monteagudo Page 12, Lines 15 – 25, and Page 13, Line 1.

⁵² Officer Monteagudo Page 15, Lines 15 – 25.

-- like I said, I used to wrestle. One of the things was you control the head, you control the body. So, if you pin his head to the ground, you can -- you limit a lot of his motion. He can't move a whole lot, because his head is pinned to the ground.⁵³

I believe at this point, I'm kind of posted up on my knee, and then one hand -- my left hand, I think, is, like, on his shoulder. Just kind of -- just basing me out. I'm not sure if my left hand is on the suspect or on the ground. Like I said, I'm -- I'm basing out. As my -- my right knee was on the -- on the ground -- right hand was on the suspect's face. My left hand was around the suspect, kind of just helping me stay up, I guess.⁵⁴

According to Officer Monteagudo, Prince continued to resist and “kick at” officers, when Sergeant Contreras directed officers to apply an HRD to Prince. Officer Monteagudo took “control” of Prince’s legs by grabbing Prince’s legs, “crossing” his feet, where he held Prince’s legs in place as Officers Monteagudo and Garcia maneuvered the HRD around Prince’s ankles (**Firm Grip 3, Physical Force 2, and Bodyweight 2**). Once the HRD was applied to Prince’s ankles Officer Monteagudo passed the strap through the loop making a knot, then held and maintained control of the HRD.

He begins to kick and scream, kicks at the officers, which, at that point, an officer -- I'm not sure who it was -- tells me, "Put a hobble on him." At that point, I went to his legs. And we were kind of struggling to catch -- put his legs together, because he was trying to kick away. So eventually, I was able to control his legs. I put his -- I think it was his left foot over his right foot. I tighten the -- the -- I -- I tighten the -- the hobble, and I put a knot on it.⁵⁵

And then I just held it in place until an RA got there. At first, he was laid on the -- it was his stomach. Again, they were trying to control him. He was very erratic, just screaming, "I can't breathe. Let me go."⁵⁶

I'm still standing -- I take about three or four steps back away from the suspect, but I'm perfectly aligned to the suspect's head. So, facing -- I believe it's facing him. North. Suspect's -- the suspect becomes irate. He starts kicking, screaming, flailing, trying to hit the officers, which, at that point -- I want to say Sergeant Contreras said to put a hobble on him. At that point, I -- I had a hobble on him, so I -- I and it was myself and Officer Aguilar. We were trying to control his feet, but, again, he was

⁵³ Officer Monteagudo Page 23, Lines 6 – 13.

⁵⁴ Officer Monteagudo Page 23, Line 25 and Page 24, Lines 1 – 21.

⁵⁵ Officer Monteagudo Page 16, Lines 1 – 5.

⁵⁶ Officer Monteagudo Page 16, Lines 7 – 11.

*kicking pretty hard, so it was -- it was hard to -- to put the hobble on him. I just maintained control of the hobble itself, and that was it.*⁵⁷

*So, I had his legs crossed. I wrapped around the second time and then looped a -- the long part, I guess, of the hobble. The hook. Looped it through, so that way it becomes a knot, and it prevents the hobble from loosening up.*⁵⁸

The UOFRB noted Officer Monteagudo's restraint in his application of non-lethal force throughout the encounter with Prince.

Officer Valvaneda – (13) Firm Grip, (2) Fist Strikes/Punches, (2) Bodyweight, (1) Physical Force, (1) Finger Flex

According to Officer Valvaneda, as he held his service pistol in his right hand he reached down and grabbed Prince's arm to keep Prince from reaching for his, not yet located handgun (**Firm Grip 1**). According to the FID investigation Officer Valvaneda utilized four additional firm grips as he adjusted his grip to maintain control of Prince's right arm as Prince was handcuffed and taken into custody (**Firm Grip 2-5**).

Officer Valvaneda recalled,

*As soon as Sergeant Contreras arrived, and I noticed that we had full control of the suspect -- and his hands, and that there was no way for him to maybe reach under himself and -- and -- and grab a gun that was -- that, you know, was there. As soon as I -- I realized that, you know, we had the threat controlled, I -- I holstered -- holstered my gun.*⁵⁹

*So eventually, there's -- a supervisor shows up on scene, and I -- I tell the supervisor to assist me in grabbing the suspect's -- the suspect's hand, at which time he -- I see that we have full control of both of his hands, and I holster my weapon. We end up rolling the suspect, I believe, to his side, at which time I see that in his -- in his -- in his shorts, there's --there's, like -- there's, like, like, a pocket.*⁶⁰

*My left hand is now holding -- I have a firm grip of one of his hands. I can't tell you which hand it was, but I have a firm grip of one of his hands, because I'm -- I'm trying to prevent him from trying to reach under his -- his body and maybe trying to grab the gun, if it's under there, I don't know where it's at.*⁶¹

⁵⁷ Officer Monteagudo Page 27, Lines 13 – 25 and Page 28, Lines 1 – 18.

⁵⁸ Officer Monteagudo Page 51, Lines 15 – 21.

⁵⁹ Officer Valvaneda Page 82, Lines 8 – 1.

⁶⁰ Officer Valvaneda Page 9, Lines 20 – 25 and Page 10, Lines 1 – 2.

⁶¹ Officer Valvaneda Page 44, Lines 18 – 24.

According to Officer Valvaneda, Prince regained consciousness and began “kicking his legs” and “moving back and forth” while spitting into the air. Officer Valvaneda grabbed Prince’s shoulder and utilized his hand to hold Prince’s head down in order to control Prince’s head movements (**Firm Grip 6** and **Bodyweight 1**). Prince was then rolled onto his stomach where Officer Valvaneda applied “bodyweight” to limit Prince’s movements and prevent Prince from “hurting any of the officers or even hurting himself” (**Bodyweight 2**).

According to Officer Valvaneda, while lying in the supine position, Prince grabbed Officer Valvaneda’s right leg with both of his hands and yelled, “Fuck you!” Officer Valvaneda ordered Prince to “Let go of my leg.”; however, Prince disregarded the commands and continued to dig his fingernails into Officer Valvaneda’s leg, causing pain to Officer Valvaneda. Officer Valvaneda utilized both of his hands and attempted to “pry” Prince’s hands off of his leg (**Firm Grip 7-8**). Unable to remove Prince’s hands from his leg and out of fear of Prince breaking Officer Valvaneda’s skin and possibly causing an infection, Officer Valvaneda struck Prince with his right hand “two or three times” on Prince’s “torso” as distraction strikes to get Prince to release his grip (**Fist Strikes/Punches 1-2**). Prince maintained his grip on Officer Valvaneda’s right leg wherein Officer Valvaneda utilized firm grip as he attempted to again pry Prince’s grip off of his leg (**Firm Grip 9-10**).

Note: The FID investigation determined Officer Valvaneda utilized two fist strikes. The first strike was to the right side of Prince’s abdomen and the second was to the right side of Prince’s lower back.

According to the FID investigation, Officer Valvaneda utilized his left hand to obtain a finger flex to Prince’s right hand as Officer Valvaneda obtained a firm grip to remove Prince’s left hand from his grip (**Firm Grip 11** and **Finger Flex 1**). Once free, Officer Valvaneda repositioned his legs and acquired a two-hand grip to Prince’s right arm where Officer Valvaneda maintained position of Prince until relieved by additional personnel (**Firm Grip 12-13**).

Officer Valvaneda recalled,

Several seconds later, he wakes up, and then he's -- he's -- he's very 415. He starts -- he starts -- he starts kicking his legs. He starts moving back and forth; starts yelling. And some officers -- I don't know who it was -- end up hobbling the suspect to prevent him from -- from kicking. And then at the same time, I placed my -- my hand on the suspect's head to control his -- to control his head movements, because it appears that -- and it seems that he was wanting to spit, and he was wanting to bang his head. So, in order to, you know, prevent him from hurting himself, I placed my hand on his head, and I'm holding him down to control his head movements. So as -- as I'm doing that, the suspect -- again, he's -- he's continue -- he's continuing to yell, he's continuing to try to -- to try to kick even though he's hobbled. At one point he ends up grabbing my -- I think it's my right leg, and he starts to dig -- he starts to -

- to really pinch down on my -- on my leg, grab, and I could feel that his nails were coming -- were -- were digging into -- into -- into my skin, and it started to hurt. So, I told him, "Let go of my leg." He's got me. "Let go of my leg." He wasn't listening. So, I -- I struck him three -- I believe it was, like, two or three times; I can't really remember exactly -- in his torso to distract him and to -- to get him to let go of my leg. You know, I was in fear that -- feeling that this is skid row. If you were to break skin, you know, it could lead to infection or something like that. So, I -- I felt it necessary that he let go of my -- of -- of -- of my leg as soon as possible. And actually, prior to doing that, I tried to pry his -- his -- his fingers off -- his hand off of my leg, but he had a pretty strong grip, which is what led to then me having to -- to jab him two or three times in -- in -- in his -- in his torso. It wasn't full strength. It was -- it was -- it was just to -- to get -- to get that distraction. And as soon as he let go, I -- I stopped. And after that, that was -- that was pretty much it. He was -- he was -- he was in custody, and we just -- we just maintained there until he was put on the gurney.⁶²

*I may have been putting some bodyweight on him with my left knee.*⁶³

*That was after he was handcuffed. That was during that time. So -- yes. He -- he started -- as -- as I'm -- as I'm holding him down to prevent him from hurting himself -- -- from kicking any of the other officers, from spitting, he's yelling. He grabs my right leg -- -- and he starts pinching down on it with all five fingers. And I tell him, "Let go of my leg." Initially, I try to pry his -- -- fingers off, but he has -- he has a really tight grip. With my right hand. No. He has a really tight grip. It's starting to become painful. And I struck him, I believe, two or three times -- I can't remember correctly -- on his torso to distract him -- from and to help him release -- release my leg. That didn't work -- so I went back to prying on -- on his -- on his fingers, which then caused him to release -- release my leg. The hobble was as soon as he woke up, so he was handcuffed. He was -- he was unconscious. As soon as he regained consciousness, I guess he realizes -- it seems that he had been arrested, and he became a 415, started kicking. And at that point, he was hobbled.*⁶⁴

*Firm grip, for sure, to hold -- hold him down. And -- and bodyweight. Same time holding him, you know, pushing down using -- using my weight to keep him on the ground to prevent him from -- from hurting any of the officers or even hurting himself.*⁶⁵

The UOFRB discussed Officer Valvaneda's continued assessment and de-escalation by applying a firm grip to Prince's hand to prevent Prince from reaching for his handgun when the officers did not know where it was and the good

⁶² Officer Valvaneda Page 10, Lines 17 – 25, Page 11, Lines 1 – 25, and Page 12, Lines 1 – 9.

⁶³ Officer Valvaneda Page 45, Lines 19 – 20.

⁶⁴ Officer Valvaneda Page 53, Lines 12 – 25, Page 54, lines 1 – 25, and Page 55, Lines 1 – 17.

⁶⁵ Officer Valvaneda Page 79, Lines 16 – 21.

communication between himself and the other officers, along with advising Sergeant Contreras. The UOFRB noted Prince digging into Officer Valvaneda's leg after Prince was handcuffed, causing Officer Valvaneda pain and Officer Valvaneda striking Prince to avoid further injury. The UOFRB also discussed Officer Valvaneda's attempts at de-escalation by holding onto Prince to prevent Prince from injuring himself as Prince made suicidal statements.

Officer Tarango (7) Firm Grip, (1) Physical Force, and (1) Wristlock

According to Officer Tarango, as she reached Prince she "grabbed one of his arms" and held it as they searched for Prince's handgun (**Firm Grip 1-2**). According to the FID investigation, Sergeant Contreras directed Officer Tarango to control Prince's left arm wherein Officer Tarango utilized a firm grip and a wrist lock to "gain control" of Prince and upon locating Prince's handgun utilized an additional firm grip to Prince's right hand to keep him from accessing the handgun (**Firm Grip 3-4** and **Wristlock 1**).

According to the FID investigation, Officer Tarango became tangled up with Prince and gripped Prince's left wrist with her left hand and pushed on Prince's back with her right hand to become separation from Prince (**Firm Grip 5** and **Physical Force 1**). The additional personnel provided Officer Tarango with Prince's left and right wrists where she handcuffed them respectively. Officer Tarango also assisted Officer Valvaneda in gripping Prince's hands in order to remove his grip from Officer Valvaneda's foot to assist him in overcoming Prince's resistance (**Firm Grip 6**) and as Prince continued to resist officers' commands she used a final grip to control Prince as LAFD personnel arrived at the scene and held this position until being relieved (**Firm Grip 7**).

Officer Tarango recalled,

The suspect was still resisting, so I grabbed one of his arms. I placed my -- I attempted to place my taser in my holster, but it's a little farther back on my belt for me to reach and be able to, like, take my attention off the suspect at the time. So, I placed it on the ground at a safe distance away from the suspect, but at -- easily accessible to myself, if I needed to grab it again and use it. And I grabbed the suspect's left arm, and I held it down until -- so while Officer Valvaneda held the other side of his body, so we could gain control of the suspect. At that time, we still couldn't find the firearm, and that's when Sergeant Contreras arrived. And then he came in, and I advised him that he had a firearm. At some point my foot was stuck under the suspect in a weird spot, and I felt the -- I felt a hard object in between -- on top of my shoe but being pressed down from the suspect's leg, so I believed it could have been the firearm. I reached out and grabbed it, and I felt what I believed was a firearm and advised Sergeant Contreras that the firearm was right there. It was in a weird, like, pocket. Like, a silk -- I can't explain it. It was, like, a silk patch or, like, pouch attached to, like, the -- the suspect's crouch area. So, Sergeant Contreras had me grab the suspect's hand while he dealt with the firearm. I never seen him

recover it, but he advised us that he recovered it. At that point in time, other units arrived, and someone placed -- someone advised me to handcuff the suspect's left arm. And then after we handcuffed it, we would form a plan to bring his right arm around and take -- and handcuff him and -- and just have him in custody. So, I -- I handcuffed his left arm, and we turned the suspect over. I don't know who handed me his right arm, but his right arm was handed to me. I lifted up his jacket, and I placed the handcuff on him. At that time, we -- we were going to leave the suspect laying down, but we turned him over into, like, the recovery position, but he wasn't -- at that time the suspect wasn't moving. He appeared to be, like, sleeping. So, we left him in the recovery position. We tried to sit him up, but it wasn't working, so we just left him in the recovery position, in which the suspect -- after a few seconds, he just woke up and -- or he appeared to wake up and just started screaming and yelling. He was being belligerent. He was grabbing my partner's leg. He was spitting blood in the air, and he was actually saying, "Kill me now. Just kill me. I want to die," and tried to slam his head on the floor. So, I did place my foot under his head, so he wouldn't slam on the concrete. And then he attempted to bite my foot.⁶⁶

So, I used both hands to grab his wrists and, like, his forearm. His left. I was just trying to hold his hand so that Officer Valvaneda and Sergeant Contreras could place their hands in that area and search for any -- for the gun that we couldn't locate.⁶⁷

So, I'm holding the suspect, and to better hold him, I -- I lift my left knee up, and I set my foot down on the floor to kind of stabilize myself, and it's between his legs. So, my foot is between his legs, so he moves to lay back down on the ground. And as he lays back down, his right leg presses on top of my -- my foot -- my left foot.⁶⁸

I handcuffed his left wrist first. And then officers brought his right wrist to me, and I handcuffed that as well.⁶⁹

That was my left foot. I did that because he started saying, "Kill me. Just kill me. I can't go to jail." And then he started trying to slam his head on the floor. So, to prevent him from hitting his face on the concrete, I just put my foot under there, so he would hit that instead of the concrete.⁷⁰

⁶⁶ Officer Tarango Page 11, Lines 4 – 25, Page 12, Lines 1 – 12, and Page 13, Lines 1 – 11.

⁶⁷ Officer Tarango Page 31, Lines 8 – 18.

⁶⁸ Officer Tarango Page 32, Lines 15 – 24.

⁶⁹ Officer Tarango Page 34, Lines 15 – 18.

⁷⁰ Officer Tarango Page 4 – 14.

And we just continued to hold him down until -- like, I continued holding the -- his right shoulder down. I was just holding his sleeve, so he wouldn't, like, swing his head around until the fire department put him on the gurney.⁷¹

The UOFRB discussed Officer Tarango's attempt to care for Prince by placing her boot under Prince's head to prevent Prince from self-inflicted injury as he attempted to strike his head on the ground. The UOFRB also noted Officer Tarango's articulation of what she felt was a possible handgun and not allow Prince any accessibility to it.

Sergeant Contreras – (5) Firm grip and (1) Bodyweight

According to Sergeant Contreras, upon his arrival as the first responding unit to the scene he was informed Prince, "was armed with a gun and that the gun was underneath him somewhere." Sergeant Contreras observed Prince was not yet handcuffed and grabbed Prince's left wrist before utilizing both of his hands and "immediately took control" of Prince's arm (**Firm Grip 1–3**). According to the FID investigation, Sergeant Contreras pinned Prince's right wrist to the ground with his left hand and placed his left knee on Prince's right thigh and applied bodyweight and upon being informed by Officer Tarango of the location of Prince's handgun Sergeant Contreras moved his right hand to establish a grip of Prince's right leg (**Bodyweight and Firm Grip 4**). Once Sergeant Contreras removed the handgun from Prince's person, Sergeant Contreras stood up and assumed command and control of the situation until according to FID he applied a firm grip to assist Officer Valvaneda remove his leg from Prince's grip (**Firm Grip 5**).

Sergeant Contreras recalled,

The first thing that I was told was that the suspect was armed with a gun and that the gun was underneath him somewhere. They were unsure of where the weapon was, but they knew that he had a gun. So, at that point, I didn't go into command and control mode because I was the first unit to arrive to the backup. And I had noticed that his arms -- the suspect's hands were still loose. One of his arms was underneath his body and the other one was over the top. So, I immediately took control of his -- his left arm and hung onto it. And Officer Tarango continually he told me that there was a gun involved and she couldn't find it. And I asked her where was the gun at and she said I think it's under him under his arm. So, my concerns were that if we were going to attempt to handcuff the suspect the arm that was underneath him would have to have rolled back underneath his body into where the gun was possibly at which would have put us in a more dangerous situation. So, I wanted to keep his hands out to where we could see them and until we found a weapon.⁷²

⁷¹ Officer Tarango Page 38, Lines 5 – 9.

⁷² Sergeant Contreras Page 10, Line 25 and Page 11, Lines 1 – 19.

And my concern was that if we continued to struggle with -- with the suspect the gun would have -- would have gone off. So, the only two options I had to get the weapon was either to reach down his pants into his crouch area to try to manipulate the weapon and -- and remove it. But again, I was concerned about -- because the suspect kept kicking and -- and struggling to try to escape and he wasn't handcuffed yet. I was afraid that if I reached in there it would have been -- the suspect would have gotten more combative to where if I would have grabbed the gun the wrong way I would have accidentally fired it. So, I decided to grab the weapon and stretch it out as far as possible, the -- the pouch itself because it was kind of elasticity [sic] the pouch. So, I was able to stretch it as far out as possible away from him. Then I looked up and I saw Officer Pinedo who was behind me and I asked her if she had a knife. So, she took her pocket knife out. And I said, okay, I'm stretching it out. I want you to cut it. So, she -- as soon as she cut it the entire weapon came out or the entire pouch came out intact.⁷³

I just I remember I believe I used both my hands and to hang onto his -- to his -- to his arm or to his hand while I grabbed his wrist and his arm and just, you know, hung onto him and but that's when, you know, Officer Tarango kept saying he's got a gun, a gun. And so as soon as he -- I mean the gun she found it immediately and said, "It's down here" and -- and we immediately transitioned. I said, "Grab his arm. Just grab his arm." And she grabbed it to hang onto it -- while I dealt with the gun. Yeah. Yeah. I think I kind of did one of these where so, I grabbed probably his -- his wrist with my left hand and then with my right hand I -- I grabbed above the wrist like his -- his arm portion and just kind of hung onto it. Yeah, like the forearm.⁷⁴

The -- the reason I got involved is because I saw that the officers did not have control of the suspect when I first got there because his -- his arms were free, he wasn't handcuffed, and they immediately told me that hey, he was armed with a weapon. So, my main concern was that it -- it wasn't going to serve any purpose for me to stand around to tell him and not get involved. I needed to help them to make sure that that weapon was secured.⁷⁵

The UOFRB noted Sergeant Contreras' identification of the priorities by taking action, noting the location of Prince's handgun, and taking swift action to remove the handgun. Although while not a trained tactic and Prince's arms were secured, but not handcuffed, the unusual tactic was effective as opposed to the reaching into Prince's pocket which could have resulted in different consequences.

⁷³ Sergeant Contreras Page 12, Lines 17 – 25 and Page 13, Lines 1 – 12.

⁷⁴ Sergeant Contreras Page 25, Lines 4 – 25 and Page 26, Line 1.

⁷⁵ Sergeant Contreras Page 43, Lines 4 – 12.

Officer Garcia – (4) Firm Grip, (4) Bodyweight, and (3) Physical Force

According to Officer Garcia, as he arrived at scene he provided officers with direction. As officers attempted to roll Prince over to his stomach Officer Garcia observed Prince's right arm remained underneath his body. Officer Garcia reached down with both of his hands, applied firm grip with each hand, and utilized physical force to pull Prince's arm from underneath his body and behind his back (**Firm Grip 1-2** and **Physical Force 1**). After Prince was handcuffed, Officer Garcia directed officers to search Prince as he assisted in rolling Prince to his side.

Officer Garcia recalled,

As the suspect was turned over, I observed the suspect's right arm tucked into his waistband, which then I went down on my knees to grab the suspect's right arm by his bicep area and attempted to pull his hand out, which I was able to get it to break free from his chest/stomach area, and then waited for a different officer to handcuff the suspect.⁷⁶

As they turned him over, the suspect's arm remained underneath his stomach/chest area when he was on his stomach. And then I was standing right there, so I went down to my knees on the cement, grabbed his bicep area and started to just pull his arm out from underneath him.⁷⁷

And then behind him.⁷⁸

According to Officer Garcia, as they were waiting for the rescue ambulance to arrive Prince began "to try to kick his feet and break away." According to the FID investigation Officer Garcia utilized his hands and crossed Prince's legs over each other and waited for an HRD to be applied to Prince's legs (**Firm Grip 3-4** and **Physical Force 2**). Officer Garcia utilized bodyweight to hold onto Prince's legs and hold them to the ground as Prince continued to resist (**Bodyweight 1**). Officer Garcia added bodyweight with his knee to Prince's calves and knee area and then to Prince's left knee as Prince continued to struggle (**Bodyweight 2**) and assisted in attempting to unsuccessfully roll Prince over to his side with the assistance of Officer Valvaneda (**Physical Force 3**).

According to Officer Garcia, as Prince continued to struggle, Officer Garcia attempted to place his knee on Prince's midsection; however, Prince continued to move requiring Officer Garcia to again apply his knee to Prince's rib cage area where he utilized bodyweight to control Prince until the HRD was successfully applied (**Bodyweight 3-4**). Officer Garcia had his hand balled in a fist, clutching

⁷⁶ Officer Garcia Page 9, Lines 19 – 25.

⁷⁷ Officer Garcia Page 16, Lines 9 – 15.

⁷⁸ Officer Garcia Page 17, Line 16.

Prince's clothing inside of his fist. Officer Garcia was then tapped on the shoulder by Sergeant Contreras and advised to remove himself from Prince to which Officer Garcia complied. As Officer Garcia was using his "weight to control" Prince he was directed by Sergeant Contreras to remove himself from Prince. Officer Garcia utilized bodyweight to stabilize himself as he removed his bodyweight from Prince **(Bodyweight 4)**. Officer Garcia later applied a spit sock to Prince to keep him from spitting on officers.

Officer Garcia recalled,

While waiting for the rescue ambulance to arrive, the suspect began to try to kick his feet and break away. As he was kicking his feet, I then put my knees down on his calves/knee area, held his feet down. I then asked for a hobble. I did not have a hobble on me, so I was trying to see if any of the officers around me had a hobble. Once I requested a hobble, there was two other officers that came. I was holding the feet. And as the officer was trying to loop it around the suspect's feet, again, he proceeded to kick his right leg away. He started to move his whole body. So, the two officers that had the hobble took over the feet area. I moved my -- myself and proceeded to tell the officers to put the suspect on his stomach for we can have a better -- prevent him from keep -- continuing to keep kicking his legs. So, I told the officers to turn him over onto his stomach. I didn't -- I wanted them to turn him over to his stomach. Because I grabbed his -- what to be his hip/waist area to try to turn him. I tried to put my knee on top. He broke away. Tried to turn him again, so I grabbed him again and pulled him, and then I put my knee the second time on his hip area or -- and then just -- since I couldn't turn him over, I just placed my weight on him until the officers could continue placing the hobble.⁷⁹

So, this was when he had -- we were trying to place the hobble on him and he began to kick again, and he kicked me off of him and the other two officers put their bodyweight on the suspect's -- to try to control the legs. I went around to his waist and grabbed it and tried to turn him over as I told the officers, "Let's turn him over," to prevent him from continuing to kick. Because he's laying on his side, which means he's kicking his feet higher than if we just controlled him on the ground, on his stomach. I tried grabbing him from the waist and I tried pulling to put my knee, and I put my knee on top of him and he broke away. So, then I tried pulling him again to get my knee back on his midsection, you know, stomach. And the second time I put my knee and I just held him there and I just kept my weight on him.⁸⁰

After the second time of placing my knee on him, that was -- I was able to control him and he stopped resisting. My right knee. Like midsection/side rib, because he

⁷⁹ Officer Garcia Page 10, Lines 13 – 25 and Page 11, Lines 1 – 14.

⁸⁰ Officer Garcia Page 27, Lines 3 – 19.

*was still on his side. I was not able to turn him over to put my knee on his back. That's what my initial intention was.*⁸¹

*So, once I -- the second time I pushed my knee and I put the bodyweight, he didn't move, so I just kept it there. I stopped trying to put him on his stomach. Yes. So, once I was able to control his midsection area by putting my bodyweight, the officers were able to put the hobble effectively and then I got off the suspect.*⁸²

*From what I observed in the video, I had my bodyweight on the subject. I had grabbed his clothing, his article of clothing, his right -- with my right hand his shirt. So, I had it balled in a fist as -- because I was using my weight to control the subject. So, when I -- I didn't hear Sergeant Contreras tell -- ask me to get off of him initially until he tapped me on the shoulder. Then I looked up and he said to get off of him. So, I made sure that he was hobbled. And then as I was getting off the subject, my hand was already clenched so I just used my right hand as a balancing to get off of the subject as being ordered by Sergeant Contreras at scene.*⁸³

*You know, a couple minutes -- I mean not minutes. Maybe less than a minute later, he continued to try to bite an officer, Turango [sic], who was closer to his head area and spitting again. So, I then went back and placed a spit sock over his head. As I tried to place it over his head, then he bit the spit sock, so it just remained halfway down his head.*⁸⁴

Officer Aguilar – (2) Firm Grip

According to Officer Aguilar, he arrived on scene and began to assist in crowd control until he observed Prince begin to yell and stated that he wants to die. Officer Aguilar responded to assist officers as Prince became “very aggressive” and was “aggressively” “resisting” officers at scene. In response to Prince’s actions Officer Aguilar applied firm grip with both of his hands to Prince’s ankles to “maintain control” of Prince and limit his aggressive actions (**Firm Grip 1-2**). According to the FID investigation, once Officer Aguilar removed his bodyweight he was given and maintained control of HRD as Prince lay on the ground. Officer Aguilar then assisted in lifting Prince of the ground and onto an awaiting gurney where he utilized handcuffs to secure prince’s left hand to the gurney.

⁸¹ Officer Garcia Page 28, Lines 14 – 24.

⁸² Officer Garcia Page 29, Lines 2 – 12.

⁸³ Officer Garcia, 2nd Interview, Page 5, Lines 2 – 15.

⁸⁴ Officer Garcia Page 12, Lines 2 – 8.

Officer Aguilar recalled,

He started yelling, just resisting the officers by moving his feet a lot, trying to roll around. And he just kept saying, "Kill me now. Fuck that." I think he said, "I want to die." And -- and I remember seeing Monteagudo trying to put a hobble, I remember trying to maintain control of his feet, so I could place a hobble on his feet because he was very aggressive, very -- appeared to be just aggressively like resisting their detention or arrest. And so, I decided to go help Monteagudo maintain his feet so that way, he can apply the hobble. So, I -- I -- so Monteagudo crossed his feet. I maintained control of his feet by placing my -- both of my hands on top of his ankles. Maintained a firm grip, and just placed -- placed -- maintained my position there so that way, Monteagudo can -- can -- can properly place the hobble. And so he did. He placed that -- that knot right before the -- the clip, and I helped him to do that. And then -- and -- and then I remember at one point, I asked the -- because I was still trying to figure out what was going on.⁸⁵

And at one point, RA came, injected him while officers were holding him down. I think it was -- I think it was -- now, see, I don't remember. And then -- and so then once they injected him, officers lifted him to place him on the gurney, and I kind of just lifted his feet guides him to the gurney.⁸⁶

He was resisting his -- like moving his feet away from -- from his hands upward -- I remember, I think it was Brady, he had a -- he had his right hand and he, I guess he removed the handcuff and placed it on the right side of the gurney, and he asked me to remove his left hand, so I -- which I did. Placed it on the gurney and locked it.⁸⁷

Officer Ramirez – (3) Firm Grip, (3) Bodyweight, and (1) Wrist Lock

According to the FID investigation, Officer Ramirez grabbed Prince's right leg with his left hand and picked it up before releasing it to assist Officer Tarango untangle herself from Prince (**Firm Grip 1**). Officer Ramirez then gripped Prince's left forearm with his left hand and applied a wrist lock to Prince's left wrist with his right hand (**Firm Grip 2** and **Wrist Lock 1**).

According to Officer Ramirez, he applied his "bodyweight" as officers were rolling Prince over to his stomach and then grabbed Prince's wrist with "firm grip" in order for Officer Tarango to apply handcuffs (**Bodyweight 1** and **Firm Grip 3**).

⁸⁵ Officer Aguilar Page 9, Lines 10 – 25 and Page 10, Lines 1 – 2.

⁸⁶ Officer Morales Page 11, Lines 16 – 21.

⁸⁷ Officer Aguilar Page 22, Lines 21 – 25 and Page 23, Line .1

Officer Ramirez recalled,

At that point in time I went in. I put my bodyweight on the suspect's thighs and just retrieved his left arm and pulled it back, so -- I don't know what officer it was. I believe Turango [sic] handcuffed. I just held the arm, so she could handcuff. And I advised, hey, let's get the cuff on first so -- before we do anything else, before we get the other arm, so we have control of the suspect. Once the cuffs were on, I advised them, hey, let's get that arm in, handcuff. I stepped away.⁸⁸

And then at that time I just grabbed his left arm and I just pulled it back and I had Officer, I believe, Turango [sic] handcuff. Firm grip. Did it from his elbow to his wrist and just pulled it back. Just holding arms so she could handcuff.⁸⁹

I guess you could say I straddled him, so he wouldn't be able to kick his legs around. Pressed my chest kind of onto his -- To his hip.⁹⁰

With my right hand, I placed it right above his elbow. Left hand on his wrist, just pulled it back. His left arm. And as I brought it back, I just held it and I advised Officer Turango [sic] to handcuff. And I told her to hold the other arm in place, so we get one hand to cuff so we have control of the suspect. And once he was cuffed, I told them, hey, let's bring the other arm up and that's when we handcuffed. Yes. He was trying to pull away from me.⁹¹

According to Officer Ramirez, he placed his foot on top of Prince's feet on two separate occasions to act as a "controlling agent" as Prince was on the ground to keep Prince from kicking officers and due to prince's "erratic" behavior (**Bodyweight 2-3**).

Officer Ramirez recalled,

I placed my foot on his foot just to control it because he was acting erratic. I just wanted to make sure that he wasn't going to kick officers and -- I didn't want him to kick or, you know, you know, erratic, so I placed my foot on his foot. I was actually standing there kind of nonchalantly. It was more of a controlling agent than anything.⁹²

⁸⁸ Officer Ramirez Page 8, Lines 13 – 22.

⁸⁹ Officer Ramirez Page 10, Lines 10 – 24.

⁹⁰ Officer Ramirez Page 11, Lines 10 – 18.

⁹¹ Officer Ramirez Page 21, Lines 7 – 23.

⁹² Officer Ramirez, 2nd Interview, Page 5, Lines 1 – 5.

*Okay. Due to his move -- due to the use of force and how he was, like I said, I wanted to make sure because at any point in time, he could just go off a hinge again and go more erratic and actually kick an officer. So, I just wanted to control his foot until we got him into a patrol car or a gurney, wherever he was going, and he would have been controlled at that point.*⁹³

Officer Pinedo – (2) Firm Grip

According to Officer Pinedo, as she arrived on scene she took the initiative and grabbed Prince's ankle and calf area (**Firm Grip 1-2**). She released her grip when Sergeant Contreras asked if anyone had a knife and removed a knife from her pocket. Officer Pinedo unfolded the blade from the knife as Sergeant Contreras pulled Prince's handgun away from his body as it was wrapped in the pocket. Officer Pinedo then utilized her knife to cut Prince's pocket which removed the handgun from his person.

Officer Pinedo recalled,

*I heard someone make mention of -- of getting a hold of his feet, so I took the initiative to grab his feet. Yes. My right hand was placed like on his right ankle. My left hand was placed on his left ankle. Like his calf area.*⁹⁴

*He basically stretched out the pocket and he advised -- basically told me where to cut. I mean I visually saw, you know, where to cut because I saw the article in the -- the gun in the pocket, so I cut above it.*⁹⁵

*Like I was able to see like the butt of it and like the -- the barrel just formed the shape of a firearm. And based on the broadcast, you know, advising that he did have a gun. So, I already went into it thinking that there was a gun involved. So, once I got there and I believe the sergeant made mention of him having a hold of the gun and asking if anyone had a knife to cut the pocket, which, you know, where the firearm was located. And like I said, it just shaped the clothing -- or the cloth was pretty thin, so it was just like a bulge.*⁹⁶

The UOFRB noted Officer Pinedo's quick response and in order to avoid the unintentional discharge of a weapon, the UOFRB opined that Officer Pinedo did what was necessary. In an ideal situation, it would have been preferred that Prince was handcuffed first; however, in this particular case, removing Prince's handgun was safest priority and was efficient and effective. The UOFRB noted that Officer

⁹³ Officer Ramirez, 2nd Interview, Page 7, Lines 14 – 21.

⁹⁴ Officer Pinedo Page 11, Line 25 and Page 12, Lines 1 – 10.

⁹⁵ Officer Pinedo Page 13, Lines 1 – 6.

⁹⁶ Officer Pinedo Page 35, Lines 1 – 11.

Pinedo faced the blade of her pocketknife away from others which would have minimized the possibility of injury.

Officer Morales – (4) Firm Grip, (3) Bodyweight, and (1) Physical Force

According to Officer Morales, as he arrived, he removed the 40mm LLL from his police vehicle and as he observed an appropriate amount of officers engaged with Prince, he decided to assist in crowd control. As Officer Morales continued to monitor the officers with Prince he observed officers “seemed to be losing a bit of control” so he approached and assisted by applying “bodyweight” to Prince’s legs **(Bodyweight 1)**.

Officer Morales recalled,

So, we responded to the backup. When we got there, I observed officers already controlling the suspect. They seemed to be in control of the situation, so I kind of stepped back and started doing crowd control. I then realized that there were only about four officers on top of him and that he was moving a lot. They seemed to be losing a little bit of control, so I stepped in. Another officer -- I believe it was Officer Carrillo. He took my 40, because I was still holding the 40. He took it away from me, and then I applied bodyweight to the suspect's legs -- the hamstrings just to keep them controlled.⁹⁷

According to Officer Morales, he observed Prince grabbed another officer’s boot. The officer was unable to free themselves from Prince’s grip, so Officer Morales utilized firm grip with both of his hands to remove “the officer’s leg” from Prince’s grip **(Firm Grip 1-2)**.

Officer Morales recalled,

I saw him grabbing all the officers. I don't really know his name though. But he was grabbing his leg and his boot. I tried to pull his arm away. Just grabbed his arm with both hands and just tried to pull him away from his -- from the officer's leg.”⁹⁸

According to Officer Morales, as Prince continued to struggle and move around Officer Morales applied bodyweight with his knees and right hand to Prince’s right leg **(Bodyweight 2)**.

Officer Morales recalled,

After -- yes. After that I applied my knee on the suspect's hamstring to control his legs. Officer Carrillo had it. He told me he was going to take it to my shop. So, my

⁹⁷ Officer Morales Page 10, Lines 10 – 22.

⁹⁸ Officer Morales Page 26, Lines 5 – 11.

*left knee was placed on his -- I think it was his right hamstring. My right knee was also placed on his right hamstring. My right arm was placed on his forearm -- I think it was his right forearm, and then my other arm -- I think it was placed on his leg, I believe, just for stabilization, because he was moving a lot.*⁹⁹

According to the FID investigation, as Prince continued to struggle, Officer Morales pushed down on Prince's left shoulder with his left hand and grabbed his left arm with his right hand, then assisted other officers to lay Prince down on the pavement **(Physical Force 1 and Firm Grip 3)**. Officer Morales then used his right hand to grip Prince above his left elbow and used his left knee to apply bodyweight onto Prince's left leg **(Firm Grip 4 and Bodyweight 3)**. Prince continued to yell, "I can't breathe" and at the direction of Sergeant Contreras, Officer Morales removed himself from Prince.

Officer Morales recalled,

*After that I think I remained where I was because he was still moving around, so I wanted to keep him under control. After a while they told him they were going to sit him up. So, when they said they were going to sit him up, I just stood up and let them sit him up.*¹⁰⁰

Officer Brady - (2) Firm Grip and (1) Physical Force

According to Officer Brady, he and Officer Tran were requested by Officer Valvaneda to assist in controlling Prince as he was on the ground. Officer Brady donned latex gloves and held onto Prince as he lay in the recovery position. At the direction of Sergeant Contreras, Officers Brady and Tran rolled Prince, who "was not physically resisting," into a seated position utilizing the "pull push method" and stood behind Prince as LAFD administered Prince a sedative. Prince became agitated and "kicked out his legs either in an attempt to stand or to push us backwards." Officer Brady utilized "firm grip and direct pressure downward to his shoulder and back" to place Prince on his right side on the ground **(Firm Grip 2 and Physical Force 1)**. Upon Prince's continued statements of not being able to breathe, Officers Tran and Brady again sat Prince into the seated position. Officer Brady then removed the spit sock from Prince's head and assisted additional officers to pick Prince up from off the ground and place him on an awaiting gurney. Officer Brady then unlocked the handcuffs applied to Prince and applied the handcuff attached to Prince's right wrist to the right side of the gurney.

Officer Brady recalled,

And at some point, one of the officers that was with the suspect requested a spit sock for me and my partner. We both responded to our vehicle to see if we could

⁹⁹ Officer Morales Page 19, Lines 9 – 25 and Page 20, Lines 1 – 5.

¹⁰⁰ Officer Morales Page 22, Lines 7 – 12.

procure one. My partner was able to find one in his bag. At that point, we went back. I believe my partner handed off the spit sock. I'm not sure. I went back to the crowd control on the east side of San Pedro. I remained there for a few minutes until Officer Valvaneda, who was involved with the suspect at the time, called my partner and I over to assist. When we got there, the suspect was lying with his head oriented northbound. He was face down in the street. He was handcuffed, and he had a spit sock on. Valvaneda just needed to brief the responding supervisors that arrived on scene, so we took his spot. I stood by. I applied PPEs. The suspect at that point was not physically resisting. He was simply lying there. And at one point, he said he, over and over, he couldn't breathe, so we propped him up on his side. It was his left side so that he would be facing eastbound. We held him there. At this point, he still was not physically resisting, so minimal force was used. He continued to state that he couldn't breathe. I was directed by Sergeant Contreras to put him the seated position. I did this by grabbing his -- his upper right arm with my right hand, and then supporting his head and neck with my left and upper back, and then pushing into the seated position. He sat there. At one point, he began to chew at the spit sock. Sergeant Contreras then directed me to take the spit sock off of him, which I did. He -- while he was in the seated position, shortly after being placed in that position, he kicked out his legs either in an attempt to stand or to push us backwards. He was successful in pushing us back maybe a half a step at that point. And then and in answer to his actions, I tightened my grip on his right arm and upper back. And we were -- then we, in conjunction with other officers, I put him back on the ground on his side to use the ground as a controlling agent. Our -- the paramedic that came with the RA, at that point, they had administered a -- some sort of injection, which I assume was some sort of tranquilizer or substance to calm him down. They administered that, let it set in for a small amount of time. And then we lifted the suspect up, placed him on the gurney. In lifting him up, I lifted his right arm and shoulder. I'm not sure which other officers assisted in that -- in that movement. He was placed on the gurney. He was lying down on his back in the gurney. Had him sit -- I had him sit up, which he did without resisting. He complied. And at which point, I took the handcuffs off of his left wrist. And I handed control of the left wrist to Officer Aguilar. And I handcuffed his right -- his right arm to -- to the gurney on his right side with the existing handcuff. I double locked the handcuff.¹⁰¹

Right hand on the upper right shoulder, left hand on the upper -- his upper right arm. And I pushed him up so that he would be -- he would face -- he faced me while he -- while he laid there. I was standing on the -- it was the eastbound side, or his right side.¹⁰²

And when I say push, roll.¹⁰³

¹⁰¹ Officer Brady Page 7, Lines 12 – 25, Page 8, Lines 1 – 25, and Page 9, Lines 1 – 23.

¹⁰² Officer Brady Page 13, Lines 24 – 25 and Page 14, Lines 1 – 4.

¹⁰³ Officer Beady Page 14, Lines 14 – 15.

*I just used the -- the same pull push method, guiding him to the ground, this -- this time on his right side instead of his left.*¹⁰⁴

*But due to the movement, it pushed me back about a half a step while I'm trying to hold him. At that point, I put downward pressure while tightening my grip, which I had already had my -- my left hand on his upper back and my right hand on his upper right arm and shoulder. I tightened my grip and then guided him down to the ground to my right and his right so that we could put him on in the position on the ground where he's lying on his right side facing westbound.*¹⁰⁵

*A firm grip and direct pressure downward to his shoulder and back.*¹⁰⁶

Officer Tran - (2) Firm Grip and (1) Physical Force

According to Officer Tran, he and Officer Brady were conducting “crowd control” when Officer Valvaneda summoned he and Officer Brady to take his place in holding Prince. Officer Tran applied latex gloves to his hands and held onto Prince’s shoulder and back as he was cooperating at the moment and “not moving.” Upon being directed, Officers Tran and Brady sat Prince into the seated position where LAFD administered a sedative shot to Prince. Prince became agitated and began to attempt to stand up and throw all his weight backwards towards Officers Tran and Brady. Officer Tran utilized “firm grip” to move Prince to the ground to be utilized as a “controlling agent” to “stop” Prince’s “movements.” **(Firm Grip 1-2 and Physical Force 1)**. When Prince calmed down, Officer Tran and Brady rolled Prince to the seated position and assisted additional officers to pick Prince up from off the ground and place him on an awaiting gurney.

Officer Tran recalled,

*After conducting crowd control and ensuring the -- my partner's safety behind us, I heard Officer Valvaneda request for me. He called me by name from where the suspect was located. As I went back to where the suspect was and Officer -- where Officer Valvaneda was, he advised, or he requested that me and my partner take over and relinquish him of where he was, or his positioning, relinquish of basically his duties on the holding the suspect down or with his firm grips and wherever the suspect was so he can speak to a supervisor or a lieutenant on scene. I'm not sure who he spoke to. After I applied my PPEs, I held the suspect where Officer Valvaneda and Officer Tarango were previously holding him.*¹⁰⁷

¹⁰⁴ Officer Brady Page 16, Lines 6 – 8.

¹⁰⁵ Officer Brady Page 19, Lines 16 – 25.

¹⁰⁶ Officer Brady Page 20, Lines 4 – 5.

¹⁰⁷ Officer Tran Page 11, Lines 13 – 25 and Page 12, Line 1.

*I had a firm grip on his shoulder area, the left side of his shoulder and his bicep area. I held his clothing to keep him in place. At that point, he wasn't moving so I -- very minimal, very minimal force was applied to him at that time.*¹⁰⁸

*To -- to stop his movements if he was moving, but at that time, he wasn't. Just to hold him in place for -- for his protection so he doesn't begin trashing around and hurting himself further damaging.*¹⁰⁹

*I believe he was -- initially, he was -- he was on his side, but at one point, someone directed us to have him sit up because he was having -- he was verbalizing to us that, or the suspect was verbalizing to us he was having difficulty breathing. So, my partner and I did move him to the seated position at that time when it was -- when everything was okay. And then as we moved him into a seated position, the paramedics on scene administered medication via a syringe to his left bicep. After the application of the medication, the suspect began to attempt to stand up and throw all his weight backwards towards me and my partner. At that point, me and my partner placed -- placed the suspect on his side again on the ground, utilizing the ground as a controlling agent.*¹¹⁰

*I believe the appropriate amount of force. Nothing too much. It wasn't minimal at all. It was enough force to have -- to stop his movements and enough force to place him on the -- the ground. I believe after we placed him on his -- on his right side, he -- he calmed down a little bit, and he -- he wasn't -- he wasn't thrashing about after we placed him on the ground.*¹¹¹

*The suspect -- after, I believe, the paramedics administered a second dose of the medication, he was placed -- he was placed in the seated position to prepare for us lifting him up to place him in the gurney for FD to transport. At that time, I don't know who removed the -- the spit sock, but the spit sock was removed. I'm not sure if it was after he was placed on the gurney or before. As he was seated -- in the seated position, me and my partner did -- did pick him up from the ground and place him on the gurney.*¹¹²

The UOFRB noted that this incident escalated on Officers Monteagudo, Valvaneda, and Tarango when Prince ran from them which resulted in the foot pursuit. When Prince fell down to the ground, Officer Monteagudo, quickly followed by Officers Valvaneda and Tarango, utilized force in an attempt to detain Prince. Prince

¹⁰⁸ Officer Tran Page 12, Lines 11 – 15.

¹⁰⁹ Officer Tran Page 13, Lines 3 – 6.

¹¹⁰ Officer Tran Page 13, Lines 16 – 25 and Page 14, Lines 1 – 7.

¹¹¹ Officer Tran Page 15, Lines 4 – 15.

¹¹² Officer Tran Page 16, Lines 6 – 16.

continued to resist throughout the incident. Prince's resistance included an attempt to arm himself with a handgun and other forms of physical resistance, including grabbing an officer and also attempting to bite an officer. The UOFRB reviewed all of the applications of non-lethal force. The UOFRB considered that all the officers at scene considered various options to reduce Prince's ability to self-inflict injury as he made suicidal statements. The involved officers attempted to de-escalate Prince throughout the incident utilizing communication and made notable attempts to prevent Prince from harming himself or injuring the officers by re-positioning Prince as he resisted and also by controlling Prince's movements. Prince was given two doses of sedative by LAFD personnel.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Sergeant Contreras and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar, while faced with similar circumstances, would believe that these same applications of non-lethal force would be objectively reasonable to overcome Prince's resistance.

Therefore, the Chief finds Sergeant Contreras' and Officers Monteagudo, Valvaneda, Tarango, Tran, Brady, Ramirez, Pinedo, Garcia, Morales, and Aguilar's use of non-lethal to be In Policy, No Further Action.

Use of Force – Deadly¹¹³

It is the policy of this Department that deadly force shall be used only when necessary in defense of human life. Specifically, deadly force shall be used only to:

- *To defend against an imminent threat of death or serious bodily injury to the officer or to another person; or*
- *To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.*

In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible.

¹¹³ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

Note: *Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.*

The Department's Evaluation of Deadly Force¹¹⁴

- *The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with the California Penal Code Section 835(a), as well as the factors articulated in Graham v. Connor.*

Background – The CRCH was applied while Officer Monteagudo and Prince were in the southbound, number one traffic lane on San Pedro Street, in front of 521 South San Pedro Street. San Pedro Street is a north and south roadway, with two lanes of traffic in each direction, bordered by 5th Street to the north and Sixth Street to the south. San Pedro Street consists primarily of businesses on both sides of the street.

Officer Monteagudo – Carotid Restraint Control Hold (CRCH)

According to Officer Monteagudo, as he was chasing Prince in “apprehension” mode, whom he believed to be wanted for an assault with a deadly weapon involving physical force, he heard Officers Valvaneda and Tarango following him and broadcasting the foot pursuit to Communications Division. As Officer Monteagudo pursued Prince east on Wall Street, he observed Prince grab his “baggy” pants while running from the officers. Officer Monteagudo believed Prince’s action was an attempt to keep his “pants from falling down.” Prince made a right turn to run south on San Pedro Street and Officer Monteagudo stated to Prince “Stop, right there!” Prince turned his head to look back in Officer Monteagudo’s direction, then “tripped and fell” forward onto the ground, rolled to his right landing in a seated position with his back towards Officer Monteagudo. Officer Monteagudo chose not to draw his service pistol or produce a less-lethal force option due to Prince’s wanted offense not involving a weapon, and although Prince had fled officers to avoid capture, Prince had yet to actively “resist” or fight officers.

According to Officer Monteagudo, he was a high school wrestler, had Mixed Martial Arts (MMA) experience, and was military trained. Officer Monteagudo approached Prince with the intention of placing Prince in a “full body mount,” which Officer Monteagudo described as “when you get on top of the suspect, and you try and get your legs under his legs or wrapped around him and then apply hip pressure and keep that bodyweight – keeping the suspect’s hands on the ground” in order to gain control of Prince from behind. Officer Monteagudo stated he observed Prince with

¹¹⁴ Office of the Chief of Police (OCOP), Special Order No. 4, “Policy on the Use of Force - Revised,” was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

his right side and arm on the ground and Prince's left side and arm facing upward into the air. As Officer Monteagudo approached Prince to initiate contact, Officer Monteagudo placed his right and left hands onto Prince's upper back. Officer Monteagudo observed Prince reach his left hand towards his left pants pocket and observed the muzzle of the handgun "trying to come out of his pants." Upon observing Prince in possession of a handgun, Officer Monteagudo's plan changed as Officer Monteagudo had "three things come into his mind at that point." The first was, "this is a deadly force situation." The second was should he consider utilizing his service pistol and the third thought was to apply a "full carotid" on Prince with the "goal" of rendering Prince unconscious in the "preservation" of Prince's "life," in order to get Prince to "release the gun" and then take Prince "into custody without any further incident."

According to Officer Monteagudo, Prince "obviously, knew who we are" in reference to being police officers, as he was actively trying to remove the handgun from his pocket. As Officers Valvaneda and Tarango approached he and Prince, Officer Monteagudo shouted, "He's got a gun! He's got a gun!" to inform them of the threat presented to them. Believing Prince was "trying to kill" him, Officer Monteagudo placed his chest to Prince's back and utilized his left leg to trap Prince's left arm to his body. Officer Monteagudo then made the determination to apply a CRCH to Prince. Officer Monteagudo encircled Prince's neck with his right arm by placing his right bicep on Prince's right carotid, his right forearm on Prince's left carotid and aligning his elbow with Prince's chin. Officer Monteagudo then grasped his left bicep with his right hand and placed his left hand on the back of Prince's head. Officer Monteagudo took a deep breath to expand his chest to apply more pressure onto Prince's back while he pushed Prince's head forward with his left hand. Officer Monteagudo then moved his right and left elbows toward each other to apply pressure to Prince's carotid arteries. Officer Monteagudo believed he applied this CRCH application for approximately 10 to 15 seconds, until he felt Prince "go kind of limp."

Note: Force Investigation Division investigators were unable to determine the exact time and duration the CRCH was applied. Officer Monteagudo was unsure if Prince was ever unconscious; however, Officer Monteagudo stated that he released the pressure on Prince's neck when he felt Prince go limp. Additionally, while Officer Monteagudo stated he applied a full CRCH, the FID investigation determined he actually applied a locked CRCH.

According to Officer Monteagudo, he began to release some pressure from the CRCH application and allowed the "blood flow back" to Prince. When Officer Monteagudo asked, "is he out," Officer Valvaneda tapped Officer Monteagudo on the arm and said, "Let him go." Officer Monteagudo released the pressure from Prince's neck and slid his left leg off of Prince. as he believed Prince's handgun was in custody. Officer Monteagudo's intent was to render Prince "unconscious" in order to

get Prince to “release the gun,” so the officers could take Prince into custody without further incident.

The FID investigation revealed that when asked by FID detectives what he believed may have occurred if he had not applied the CRCH at the time he did, Officer Monteagudo stated that he believed either Prince would have shot him or Officer Monteagudo would have had to shoot Prince.

DETECTIVE SOLORZA: So, if you had not taken the action that you did, what do you feel may have occurred? Referring to the application of the carotid?

OFFICER MONTEAGUDO: I would have shot him. Oh, he would have -- he would have shot me. That was his intent.¹¹⁵

Officer Monteagudo recalled,

At that point for me, time slowed down, and I had a million thoughts going through my head. I saw the gun right away. As I see the muzzle trying to come out of his pants, three things came into mind at that point: was -- this is a deadly lethal situation. Either I do a head shot on him right now or I do a glide, full mount, do a carotid. And if I feel -- trapped his arm with my left leg and he -- I feel a leg coming out, then do a close contact shot to the head, and hopefully, the carotid would just force a -- to prevent from -- you know, my main thing was trying to go with the preservation of life route as much as possible, obviously. So, at that point, I go for the -- a full rear neck choke or a full carotid or modified, because I couldn't get my right leg underneath him. So, my left leg traps his left arm, pinning him to his body so he can't get the gun out. My right arm shoots across the side of his -- right side of his neck. Elbow is somewhat aligned to his chin, and then I grab my -- I grab my left arm bicep, and then my left hand is placed on the back of his head to apply full carotid.¹¹⁶

He has the gun in his hand, so he's actively trying to remove the gun out of his pocket. It appeared that the linen on the inside of his shorts was caught with the gun, and he couldn't take it out.¹¹⁷

Because as -- as he's pulling up, I can see the, like, the barrel of the gun -- on the -- the linen of the shorts. So, he's actively trying to -- to take it out. So, my -- my thing is if he's -- obviously, knows who we are and he's trying to take the gun out, this guy -- he's -- he's trying to kill me. With that being said, I still try to do the -- I applied the carotid, I place my leg over his left -- left arm, pinning it down. I could feel his arm

¹¹⁵ Officer Monteagudo Page 52, Lines 9 – 19.

¹¹⁶ Officer Monteagudo Page 12, Lines 14 – 25 and Page 13, Lines 1 – 10.

¹¹⁷ Officer Monteagudo Page 13, Lines 16 – 2.1

being trapped. So, my thing was hopefully -- I hear my -- I hear Valvaneda coming up, and I -- and I yell, "He's got a gun. He's got a gun," which, at that point, Valvaneda is somewhere in front of the suspect. I hear Tarango come, and she's next to me -- or by my -- by my feet, telling the suspect, "If" -- "Let go of the gun or I'm going to tase you." At one point, I -- still having the -- the -- the carotid, I'm still thinking does -- one, does he have the gun? I kind of feel him go kind of limp. So, at that point, I released some of the pressure from the carotid. I didn't think that -- I didn't remove the entire move, but I do release the pressure of the blood flow back. And I ask my partner -- I was like -- or I asked, like, "Is he" -- "Is he out?" Someone says -- I don't hear anyone say, "Yeah." But I do -- Valvaneda taps me on the arm. He's like, "Let him go." So, at that point, I -- I release him, and I slide my -- my left leg off of the suspect, which, at that point, as I'm trying to get my foot out, he wakes up again.¹¹⁸

Approximately 10 to 15 seconds or so. It wasn't very long.¹¹⁹

I released some of the pressure on my own. And I ask, "Is" -- "Is he out?" Because as I felt his body go kind of numb -- so I have some wrestling experience from high school. And I did a little bit of MMA, so it's a very common move. It's -- that's used all the time. Once they're out, you let go, and there's -- there's no damage. So....¹²⁰

Personally, with a military background, I usually like to have two lethal coverage on certain situations for the case being if a -- a gun jams, then the cover officer has that gun already out.¹²¹

So due to the -- what this suspect's wanted for, even though it is an ADW, it is bodily force. There's no outstanding weapon. So, at this point, I had no reason to believe at the time of the pursuit itself that he had any weapons on him. I didn't see knives or anything. So, at that point, it was apprehension.¹²²

No, sir. Like I said, he had -- his clothes were very baggy. I thought he was grabbing onto his pants from falling -- from falling down.¹²³

So, his -- his right shoulder -- that area was on the ground. His left shoulder was off the ground. So, he was technically leaning on his right side, so his left backside was

¹¹⁸ Officer Monteagudo Page 14, Lines 3 – 25 and Page 15, Lines 1- 9.

¹¹⁹ Officer Monteagudo Page 21, Lines 23 – 25.

¹²⁰ Officer Monteagudo Page 22, Lines 4 – 21.

¹²¹ Officer Monteagudo Page 31, Lines 8 – 11.

¹²² Officer Monteagudo Page 33, Lines 3 – 9.

¹²³ Officer Monteagudo Page 33, Lines 20 – 22.

*facing me off the ground. Full mount's pretty much when you get on top of the suspect, and you try and get your legs under his legs or wrapped around him and then apply hip pressure and keep that bodyweight -- keeping the suspect's hands on the ground.*¹²⁴

*Because since his back -- his -- his back is to me, I would be able to use my left leg and hook it to his -- put my left leg underneath his left leg and then hook my foot to his ankle. At that point, I'd be able to stretch his leg out, causing him to lay flat on his stomach. Which, at that point, then I would have a -- a full -- a full body mount. I would be in complete control of his rear. That was -- that was my intention until I saw the gun. Then obviously, that -- that was no longer a valid option.*¹²⁵

*So, as I -- as I approach him, his left shoulder is facing up away from me. So, his back is to me. As I approach him, my -- my plan was to go into a mount, which would be essentially kind of rolling his left shoulder into the ground, so I could get in the full body mount, control his hips, keep him pinned. So, as I'm approaching the man, putting my hands on him -- both hands on him to -- to control my descent, I see the gun. Which, at that point, I just kind of went, like I said, into the -- the thousand-mile list of scenarios. Then I just kind of flew right into the -- the carotid.*¹²⁶

*He -- he doesn't flatten out. So, the position we're in -- he stays in that position. But instead of him rolling over, I just slide onto his back, and we're -- my chest is to his back.*¹²⁷

*Right arm shoots right across the neck, traps my bicep, left arm back to his head, and I apply the carotid.*¹²⁸

*So, when I applied it, I took a deep breath, puffing out my chest to apply more pressure onto his back. My left hand, which was behind his head, was pushing his head forward. As I pushed, I tried to use my head to help my right elbow touch my left elbow, which would cause that -- that -- I mean, obviously, you can't touch elbows, but moving in the direction of your other elbow is what causes the pressure onto the carotid.*¹²⁹

¹²⁴ Officer Monteagudo Page 34, Lines 8 – 20.

¹²⁵ Officer Monteagudo Page 34, Lines 24 – 25 and Page 35, Lines 1 – 10.

¹²⁶ Officer Monteagudo Page 37, Lines 4 – 15.

¹²⁷ Officer Monteagudo Page 42, Lines 21 – 24

¹²⁸ Officer Monteagudo Page 43, lines 11 – 13.

¹²⁹ Officer Monteagudo Page 45, Lines 14 – 21.

*So, my right bicep was by -- the right side was carotid, and then it would have been -- my right forearm area would be on his -- on the left side, which would connect that scissor pressure on the carotid, cutting off the circulation.*¹³⁰

*The full carotid.*¹³¹

*It -- it still maintained in the general area in case I did have to reapply, but there was no pressure being applied to the carotid.*¹³²

*My goal was to have the -- render the suspect unconscious in order to get him to release the gun and then take him into custody without any further incident.*¹³³

The UOFRB conducted a thorough review and analysis of the reasonableness and the necessity of Officer Monteagudo's use of deadly force. In this case, as Officer Monteagudo made contact with Prince, Prince actively attempted to retrieve his handgun. The UOFRB discussed the consideration Officer Monteagudo gave to the preservation of Prince's life during a split-second and rapidly escalating incident. Officer Monteagudo articulated that while defending against an imminent threat of death or serious bodily injury, he had a conscious desire to control Prince through the use of a CRCH in order to refrain from utilizing his service pistol. The UOFRB opined that Officer Monteagudo's decision to refrain from utilizing his service pistol and making the decision to apply a CRCH in all likelihood saved Prince's life. The UOFRB also noted Officer Monteagudo assumed some risk to himself in not making the decision to shoot Prince. The UOFRB thoroughly reviewed Officer Monteagudo's actions during the application of the CRCH. The UOFRB opined that the position of Officer Monteagudo's right hip may have allowed him to still draw his service pistol in the event the application of the CRCH was not be effective. The UOFRB discussed that Officer Monteagudo released pressure from Prince's carotid as he described Prince's body go "limp," demonstrating his restraint and desire to preserve Prince's life. Officer Monteagudo communicated with Officers Tarango and Valvaneda as Officer Monteagudo transitioned to alternate techniques to control Prince.

Based on the totality of the circumstances, the UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officer Monteagudo, would reasonably believe Prince's actions presented an imminent threat of death or serious bodily injury and that the use of lethal force would be objectively reasonable.

¹³⁰ Officer Monteagudo Page 46, Lines 4 – 8.

¹³¹ Officer Monteagudo Page 47, Line 17.

¹³² Officer Monteagudo Page 48, Lines 8 – 10.

¹³³ Officer Monteagudo Page 50, Lines 9 – 12.

Therefore, the Chief found Officer Monteagudo's use of lethal force to be In Policy, Administrative Approval.

Additional/Equipment

Body Worn Video

Sworn Employee	Serial No.	Issue	Priors	Final Disposition	Action Item No.
R. Pinedo	42347	Reduced Buffer	1	Directed Training	Pending
M. Ramirez	39614	Late Activation / Reduced Buffer	3	Directed Training / Employee Comment Sheet	Pending
K. Curtis	40858	Late Activation / Reduced Buffer	1	Directed Training	Pending
L. Contreras	25402	Late Activation / Reduced Buffer	0	Informal Meeting	Pending
J. Mylonakis	33784	No BWV Camera	0	Informal Meeting	Pending

Body Worn Video – Audit

Sworn Employee	Serial No.	BWV Audit Type	Date Range	Result	Compliance Rate
R. Pinedo	42347	Full Buffer	1/11/21 – 2/10/21	8 out of 8	100%
M. Ramirez	39614	Timely Activation	1/11/21 – 2/10/21	8 out of 8	100%
M. Ramirez	39614	Full Buffer	1/11/21 – 2/10/21	8 out of 8	100%
K. Curtis	40858	Timely Activation	1/11/21 – 2/10/21	8 out of 8	100%
K. Curtis	40858	Full Buffer	1/11/21 – 2/10/21	8 out of 8	100%
L. Contreras	25402	Timely Activation	1/11/21 – 2/10/21	8 out of 8	100%
L. Contreras	25402	Full Buffer	1/11/21 – 2/10/21	8 out of 8	100%
J. Mylonakis	33784	Equipped with BWV	1/11/21 – 2/10/21	8 out of 8	100%

Digital In-Car Video System

Sworn Employee	Serial No.	Issue	Priors	Final Disposition	Action Item No.
F. Vasquez	41949	No DICV check, rear camera	1	Training	Pending

M. Sosa	41979	No DICV check, rear camera	0	Training	Pending
S. Tarango	41751	No DICV Activation	1	Training	Pending
E. Monteagudo	42592	No DICV Activation	0	Training	Pending
G. Valvaneda	41754	No DICV Activation	1	Training	Pending
L. Contreras	25402	Reduced DICV	0	Informal Meeting	Pending

Digital In-Car Video System – Audit

Sworn Employee	Serial No.	DICV Audit Type	Date Range	Result	Compliance Rate
S. Tarango	41751	Timely Activation	4/26/20 – 2/11/21	Unable to Perform	Unable to view in Coban “Cloud” Storage
E. Monteagudo	42592	Timely Activation	1/11/21 – 2/10/21	8 out of 8	100%
G. Valvaneda	41754	Timely Activation	10/20/20 – 11/21/20	8 out of 8	100%
L. Contreras	25402	Timely Activation	9/1/20 – 10/31/20	6 out of 6	100%

Required Equipment

Sworn Employee	Serial No.	Issue	Final Disposition	Action Item No.
F. Vasquez	41949	Responded Code Three – No Seatbelt	1.28	Pending
L. Contreras	25402	No HRD, No Baton	Directed Training	Pending
M. Garcia	39924	No HRD, No Baton	Directed Training	Pending
N. Brady	41576	No HRD	Directed Training	Pending
M. Ramirez	39614	No HRD, No Baton	Directed Training	Pending

G. Valvaneda	41754	No Baton	Directed Training	Pending
S. Tarango	41751	No Baton	Directed Training	Pending
R. Pinedo	42347	No Baton	Directed Training	Pending
J. Hyshaw	43606	No Baton	Directed Training	Pending
M. Sosa	41979	No Baton	Directed Training	Pending
E. Morales	43461	No Baton	Directed Training	Pending
E. Aguilar	42482	No Baton	Directed Training	Pending
C. Tran	41542	No Baton	Directed Training	Pending

Profanity

Sworn Employee	Serial No.	Issue	Final Disposition	Action Item No.
S. Tarango	41751	Profanity	Training	Pending
M. Garcia	39924	Profanity	Training	Pending
M. Ramirez	39614	Profanity	Training	Pending
K. Bender	43595	Profanity	Training	Pending

Protocols Subsequent to a Categorical Use of Force/Preservation of Evidence

Sworn Employee	Serial No.	Issue	Final Disposition	Action Item No.
L. Contreras	25402	At CUOF, retrieved clear property bag containing handgun to visually inspect handgun	Directed Training	Pending
J. Hyshaw	43606	Unaware incident was a CUOF, unloaded/secured handgun	Directed Training	Pending
S. Tarango	41751	Discussed Foot Pursuit after Admonishment	NTCD	Pending
M. Garcia	39924	Discussed CRCH Applications after Admonishment	NTCD	Pending
C. Tran	41542	Discussed Foot Pursuit after Admonishment	NTCD	Pending
E. Monteagudo	42592	Discussed CRCH Applications after Admonishment	NTCD	Pending
G. Valvaneda	41754	Discussed Foot Pursuit after Admonishment	NTCD	Pending
J. Mylonakis	33784	Notifications/PSS Questions in Group	Directed Training	Pending

G. Gaxiola	35056	Documentation – Sergeant's Daily Report	Directed Training	Pending
S. Nunez	355381	Documentation – Sergeant's Daily Report	Directed Training	Pending
O. Thomas	34998	Documentation – Sergeant's Daily Report	Directed Training	Pending
J. Cook	38389	Documentation – Sergeant's Daily Report	Directed Training	Pending
R. Briggs	37924	Documentation – Sergeant's Daily Report	Directed Training	Pending
T. Lake (Det II)	31741	Incorrect Date – Sergeant's Daily Report	Informal Meeting	None

Audio/Video Recordings

- **Digital In-Car Video System (DICVS)** – Central Area police vehicles were equipped with DICVS at the time of the incident. None of the DICVS captured the application of the CRCH. The following is a synopsis of the DICVS that had significant evidentiary value:

Sergeant Contreras' DICVS captured the recovery of Prince's handgun, the officers handcuffing Prince, Officer Ramirez being spit on by Prince, and the officers' placement during part of the non-lethal use of force. Officers Sosa and Vasquez DICVS partially captured the officers positioning during the non-lethal use of force, from a distance. Officers Tran and Brady DICVS partially captured the officers positioning during the non-lethal use of force.

- **Body Worn Video (BWV)** – Central Area officers were equipped with BWV at the time of the incident. The following is a synopsis of the officers' BWV:

Officer Monteagudo's BWV captured the initial contact with Prince and the ensuing foot pursuit. Officer Tarango's BWV captured a portion of the foot pursuit, briefly captured Officer Monteagudo's arms around Prince's neck, Officer Valvaneda pressing his service pistol against Prince's torso, and a portion of the non-lethal use of force. Officer Valvaneda's BWV captured a portion of the foot pursuit, briefly captured Officer Monteagudo's arms around Prince's neck, and a portion of the non-lethal use of force. Sergeant Contreras' BWV captured Officer Monteagudo notifying him that he applied a CRCH, the request for a RA, and a portion of the non-lethal use of force. Officer Hyshaw's BWV captured Sergeant Contreras handing her the black pouch and Officer Hyshaw unloading Prince's handgun. Officer Ramirez' BWV captured the recovery of Prince's handgun. Officer Pinedo's BWV captured the recovery of Prince's handgun and a portion of the non-lethal use of force.

Officer's Tran and Brady's BWVs captured LAFD personnel administering a sedative to Prince and a portion of the non-lethal use of force. Officer Garcia's BWV captured Garcia placing a spit sock on Prince and a portion of the non-lethal use of force. Officers Morales and Aguilar's BWVs captured portions of the non-lethal use of force. Officers Sosa and Flores' BWV captured Prince's transportation and a portion of his medical treatment at the hospital.

- **Outside Video** – FID personnel were able to collect video from the following locations:

505, 506, 512, 526, and 545 South San Pedro Street each had cameras, which partially captured the foot pursuit, Officer Monteagudo's contact with Prince, and the use of force with Prince from varying distances.

There were two cameras located at 303 East 5th Street, which captured the officers' initial contact with Prince and the initiation of the foot pursuit. There were two cameras located at 406 East 5th Street, both of which partially captured the foot pursuit and one camera captured Officers Monteagudo, Tarango, and Valvaneda's police vehicle from a distance.

Surveillance video from a pole camera at 5th Street and San Pedro Street had three camera angles which partially captured the foot pursuit. One of the angles captured the use of force with Prince from a significant distance.

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INSPECTOR GENERAL REVIEW

Inspector General Analysis

Investigation Quality

- No significant issues of concern were identified in relation to investigation quality.

Training Issues

- No significant issues of concern were identified in relation to training.

Equipment Issues

- No significant issues of concern were identified in relation to equipment.

Detention

- The OIG concurs with the Chief's analysis.

Tactical De-escalation

- The OIG concurs with the Chief's analysis.

BWV and DICVS Policy Compliance

SERIAL	NAME	TIMELY BWV ACTIVATION	FULL 2- MINUTE BUFFER	BWV RECORDING OF ENTIRE INCIDENT	TIMELY DICVS ACTIVATION	DICVS RECORDING OF ENTIRE INCIDENT
25402	Contreras	No	No	No	Yes	No
41887	Ahlemeir	Yes	Yes	Yes	N/A	N/A
42592	Monteagudo	Yes	Yes	Yes	No	No
41754	Valvaneda	Yes	Yes	Yes	No	No
41751	Tarango	Yes	Yes	Yes	No	No
41542	Tran	Yes	Yes	Yes	Yes	Yes
41576	Brady	Yes	Yes	Yes	Yes	Yes
39614	Ramirez	No	No	No	Yes	Yes
42347	Pinedo	Yes	No	Yes	Yes	Yes
39924	Garcia	Yes	Yes	Yes	Yes	Yes
43461	Morales	Yes	Yes	Yes	Yes	Yes
42482	Aguilar	Yes	Yes	Yes	Yes	Yes

Inspector General Recommendations

Tactics

- The OIG concurs with the Chief's findings.
- In its analysis of the approximately 46-second period during which Prince was restrained with an HRD and was not placed on his side or in a seated position, the OIG noted that Officer Tarango was holding Prince by his right shoulder consistent with an attempt to partially elevate his chest off of the ground. Additionally, once Officers Brady and Tran had put on their gloves and had begun to assist with maintaining control of Prince, Prince was promptly moved onto his side. Given these specific factors, the OIG does not believe that the positioning of Prince during his restraint at this time constituted an unjustified and substantial deviation from approved Department training and associated policy.

Drawing/Exhibiting

- The OIG concurs with the Chief's findings.

Non-Lethal Use of Force

- The OIG concurs with the Chief's findings, with the exception of one application of non-lethal force by Officer Garcia.
- In its review of the non-lethal uses of force employed by Officer Garcia during this incident, the OIG was concerned by what was depicted on BWV footage as Officer Garcia using his knee to create a forceful impact to Prince's midsection.¹³⁴ At the time that this impact occurred, Prince was positioned on his side, he was handcuffed behind his back, and he was having an HRD applied to his legs; he could also be observed shouting as well as moving his body and legs. In his interview with FID, Officer Garcia was asked about whether he had used "knee drops" or "knee strikes" against Prince, and he denied having done so. Officer Garcia did not give any further account for the impact to Prince's body depicted on BWV footage, as described above. The force applied by Officer Garcia using his knee was assessed in the Chief's report as an application of bodyweight, which the Chief found to be within policy.

Given Prince's actions at the time of the impact to his midsection by Garcia's knee, the use of some degree of force (e.g., bodyweight) was appropriate to facilitate the completion of the application of the HRD and to hold Prince in an approved position. The utilization of a forceful impact with a knee to Prince's midsection, however, was not objectively reasonable under these circumstances. Accordingly, the OIG

¹³⁴ See OIG Note No. 4 on Page 19 of this report.

recommends that this particular application of non-lethal force by Officer Garcia be found Out of Policy.

Lethal Use of Force

- The OIG concurs with the Chief's findings.

A handwritten signature in black ink, appearing to read "M. P. Smith". The signature is fluid and cursive, with the first name "M." and last name "Smith" clearly distinguishable.

Mark P. Smith
Inspector General